

7-2

Recorded
3/28/63
gfm

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

No Lab File

65-68266-X

Re: ~~TYPEWRITTEN SPECIMENS~~
~~FOR COMPARISON~~

File # 95-108978-
Lab. # D-418101 AT

OTTO F. OTEPKA

Typewriting Examination

Examination requested by: Dep. Assist. Sec. for Sec. 3/27/63
Examination requested: Document Date received: 3/27/63
Result of Examination: Examination by: Bohn

Q1 → Q8 Same size & design } K1, K2
Same style of type
Q1 → Q8 (Incap. defects) NOC K1, K2

Specimens submitted for examination

Q1 - Q7 Seven sheets of carbon paper bearing typewriting

Q8 Section of cardboard bearing the initials "JER",
TJS", AND "JFR", and carbon typewriter ribbon
~~same text as is found on sheets of carbon paper~~

K1 Twenty-two sheets of paper and carbon paper containing *Typewriting*
prepared typing samples made on Underwood Forum Electric
Typewriter Serial No. E13-8556060, bearing initials
"mc"

K2 Section of cardboard bearing initials "JFR" and
section of carbon typewriter ribbon utilized in
~~making certain of these samples~~

Lab report
4/2/63
C&B: slw

Q1 → Q7 $\frac{1}{i}$ $\frac{r}{/}$ $\frac{a}{\uparrow}$ High = varies
 Elite

K1 elite

✓

✓

✓

(carbon paper wrinkled)

K1 & Q1 → Q7 compared w/ elite Template

K2 Same size & design as Q1 → Q7, Q8

Q8 Same size and design

7-2

Recorded
3/28/63
gfm

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

Re: **TYPEWRITTEN SPECIMENS
FOR COMPARISON**

No Lab File
65-68766-X
File # ~~95-108978-1~~
Lab. # **D-418101 AT**

Examination requested by: **Dep. Assist. Sec. for Sec.** 3/27/63
Examination requested: **Document** Date received: 3/27/63
Result of Examination: Examination by: **Bohn**

Specimens submitted for examination

- Q1 - Q7 Seven sheets of carbon paper bearing typewriting
- Q8 Section of cardboard bearing the initials "JER", "TJS", AND "JFR", and carbon typewriter ribbon came text as is found on sheets of carbon paper
- K1 Twenty-two sheets of paper and carbon paper containing typing samples made on Underwood Forum Electric Typewriter Serial No. E13-8556060, bearing initials "mc"
- K2 Section of cardboard bearing initials "JFR" and section of carbon typewritten ribbon utilized in making certain of these samples

7-1 (Rev. 9-7-60)

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: Deputy Assistant Secretary for Security
Department of State

April 2, 1963

REC-13

MCT-3

EX-112

Re: OTTO F. OTEPKA
TYPEWRITING EXAMINATION

J. Edgar Hoover
John Edgar Hoover, Director

YOUR NO.
FBI FILE NO. D-418101 AT
LAB. NO.

Examination requested by:

Addressee

Reference:

Letter March 27, 1963

Examination requested:

Document

Specimen:

- Q1 - Q7 Seven sheets of carbon paper bearing typewriting
- Q8 Section of cardboard bearing the initials "JER," "TJS,," and "JFR," and carbon typewriter ribbon
- K1 Twenty-two sheets of paper and carbon paper containing typewriting prepared on Underwood Forum Electric Typewriter Serial No. K13-8556060, bearing initials "mc"
- K2 Section of cardboard bearing initials "JFR" and section of carbon typewriter ribbon

Result of examination:

13 APR 2 1963

The typewriting on Q1 through Q7 and Q8 is the same size and design as the typewriting on K1 and K2. The typewriting on Q1 through Q8 was prepared on a typewriter having the same style of type as the typewriter used to prepare the typewriting on K1 and K2.

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room

Enclosures (12)

Page 1

NOTE: DO NOT MAIL. RETURN TO BOHN, ROOM 7616, FOR PERSONAL DELIVERY.

CEB:slr (6)

ENCLO. BEHIND FILE

APR 17 1963

TELETYPE UNIT

*C.E. Bohn contacted 12/23/64
No objection to consolidating into
65-68266-enc-180 12/2*

*Delivered personally to John Bohn
Reilly 4/2/63 4:40*

EW IWC

Due to an insufficient number of typewriting defects in the known typewriting and due to the indistinctness of the questioned typewriting on Q8 and the carbon copies, Q1 through Q7, it was not possible to determine whether the typewriter used to prepare K1 and K2 was used to prepare the questioned typewriting on Q1 through Q8.

Photographs of Q1 through Q7 are forwarded herewith for your information.

Q1 through Q8, K1 and K2 are attached hereto. Photographs of Q1 through Q7 and representative photographs of K1 only are retained.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. Conrad

DATE: 3/27/63

FROM : W. D. Griffith

SUBJECT: OTTO F. OTEPKA
CHIEF, DIVISION OF EVALUATIONS
OFFICE OF SECURITY
DEPARTMENT OF STATE
PERSONNEL MATTER

This morning John F. Reilly, Deputy Assistant Secretary for Security, Department of State, personally appeared at my office with some typewritten material which he desired to be examined in connection with a personnel matter. He explained that Otepka is a disgruntled employee in Reilly's office and Reilly now believes he is disloyal to the extent he may be feeding information to a subcommittee headed up by Senator Eastland of Mississippi which is conducting hearings concerning State Department matters. Reilly is scheduled to testify before this committee tomorrow.

Mr. Reilly brought with him seven sheets of carbon paper supposedly containing the text of a ~~blind~~ memorandum itemizing questions and charges that should be put to Mr. Reilly when he testifies. This carbon paper was recovered by Reilly from Otepka's trash. He also brought with him a one-time carbon typewriter ribbon containing the same text as found on the sheets of carbon paper and typewriting samples from the typewriter available to Otepka's secretary. Reilly stated he had it pretty well established that the questioned carbon paper bears typewriter impressions from the typewriter of Otepka's secretary but that a technical examination by the Laboratory would be of further assistance in this regard.

I discussed this matter to some considerable extent with Reilly and the examination he is requesting will have no bearing upon his forthcoming testimony before the Eastland Subcommittee. He stated the real purpose in requesting the examination is to accumulate additional evidence against Otepka so that appropriate Civil Service action can be taken against him in the near future looking toward getting rid of him. Reilly stated that he took over the Office of Security several months ago and has encountered resistance from Otepka and a few others in his program of tightening up the operations there.

ACTION: Since this is an official and proper request for technical assistance by the Department of State, unless advised to the contrary we will undertake the examination and submit a report. This matter has been coordinated with the Liaison Section.

1 - Mr. Belmont

1 - Mr. Mohr

1 - Mr. DeLoach

WDG:emh (8) 1 - Mr. Sullivan

SEE PAGE TWO FOR ADDENDUM

REC-70

95-108978-2

APR 17 1963

ADDENDUM, OHB:mab, 3/28/63

Mr. Otepka has been known to Liaison Agent Bartlett for several years. He was formerly Deputy Director of the Security under William O. Boswell (Reilly's predecessor) until Boswell abolished Otepka's job and gave him a lesser post which he still holds. Otepka was scheduled to attend the Army War College beginning in August, 1962, which he declined and stayed in his present job. Otepka was assigned the William A. Wieland Loyalty case at State and worked on this exclusively for many months. Wieland, who is still at State in the Office of Management, was accused of being pro-Castro during the time he handled Cuban affairs. Otepka furnished the Bureau through Liaison a copy of the complete Wieland testimony. Liaison does not know who Otepka's contacts are in Congress.

The Domestic Intelligence Division is of the opinion that Mr. Reilly's request is legitimate and should be honored.

WCH
WCH
Reilly
JA

WCH
Ch

OK.
H

WCH
WCH

1 - Belmont
1 - Mohr
1 - DeLoach
1 - Evans
1 - Sullivan
1 - Wannall
1 - Mail Room
1 - Wacks
7-17-63

AIRTEL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

REC-29

To: SAC, WFO
From: Director, FBI

65-68266-

**OTTO E. OTEPKA
ESPIONAGE - X**

Enclosed are a copy of Bulet 7-1-63 to the Attorney General and a copy of the Department reply of 7-10-63 with enclosures. Also enclosed is the copy of the cover sheet of the Bureau report furnished the Bureau by John F. Reilly. In this regard refer to your file 65-6362.

Pursuant to Department request, institute immediate investigation to ascertain if violations of the espionage and theft of Government property statutes are involved in this case. In addition to the investigation requested by the Department in the enclosed Department 7-10-63 letter, also interview Reilly to determine whether he has evidence, other than circumstantial, that subject has furnished classified documents to Sourwine; how he deduced from his coverage of subject's trash that subject was actually furnishing classified information to Sourwine; what activities of subject's, if any, served to strengthen Reilly's belief that subject was furnishing classified documents and/or information to Sourwine; the identities of others who can corroborate Reilly's allegations; and any other data pertinent to this investigation which Reilly may possess. Persons who can corroborate any of the allegations against the subject should, of course, be immediately interviewed. Surep results of investigation with recommendations as to further action in this case including interview with subject.

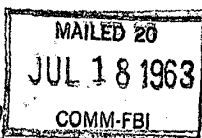
Assure this matter is afforded expeditious attention and investigation conducted without delay. Do not interview Sourwine or other members or employees of the Senate Internal Security Subcommittee without prior Bureau approval.

Enclosures - 7

Belmont
Mohr
DeLoach
Evans
Sullivan
Wannall
Tele. Room
Holloman
Gandy

JFW:klp

(11)



JUL 29 1963

SEE NOTE PAGE TWO

MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to SAC, WFO
RE: OTTO J. OTEPKA

NOTE:

Reilly, Deputy Assistant Secretary of State for Security, on 6-20-63 advised the Bureau that as a result of his coverage of the trash of subject (Chief, Division of Evaluations, Office of Security, State) and his testimony before the Senate Internal Security Subcommittee, ^{he} concluded that subject was furnishing classified documents and/or information to Sourwine, Chief Counsel, Senate Internal Security Subcommittee. Reilly furnished the cover page of a copy of a Bureau report which he claimed he found in subject's trash. Report is classified "Security Information - Confidential." Our 7-1-63 letter to the Attorney General furnished details in this matter and pointed out we were taking no further action unless the Department requested. Letter from Internal Security Division 7-10-63 requested investigation.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

TO : W. C. Sullivan *WCS/wcs*
 FROM : W. R. Wannall *WRW*
 SUBJECT: OTTO F. OTEPKA
 ESPIONAGE - X

DATE: 6/25/63

1 - Mohr
 1 - Belmont
 1 - Evans
 1 - DeLoach
 1 - Sullivan
 1 - Wannall
 1 - Liaison
 1 - Wacks
 1 - Flemister

Reference memorandum from Mr. Belmont to Mr. Tolson 6/20/63 reporting that Otepka, Chief, Division of Evaluations, Office of Security, State Department, allegedly has been furnishing information from State Department files to Jay Sourwine of the Senate Internal Security Subcommittee. Through a check of subject's trash ordered by John F. Reilly, Deputy Assistant Secretary of State for Security, it appears documents given to Sourwine by subject include an FBI report concerning Harlan Cleveland, Assistant Secretary of State for International Organization Affairs. Mr. Reilly made available a copy of the cover sheet of this report found in Otepka's trash.

Cover sheet furnished by Reilly is from report of SA William H. Atkinson dated 5/11/53 at Washington Field entitled "Harlan Cleveland, aka James Harlan Cleveland; Miscellaneous - Information Concerning (Espionage)." This report, which sets out detailed background information and results of FBI investigation of Cleveland including an interview with him, was prepared in response to a request from the Economic Cooperation Administration (ECA) which advised that Cleveland (then an official with ECA) had sponsored or been connected with eleven applicants for ECA employment who were denied employment on security grounds. Report consists of 122 pages and includes information from 67 sources afforded protection by temporary symbols, including other Government agencies, various FBI informants and investigative techniques (mail covers, technical surveillances, and anonymous sources), and several foreign intelligence agencies. Report disseminated to State 6/20/60.

Report is classified "Security Information - Confidential"; however, administrative pages fail to show specific reason for this classification (reporting rules did not require this to be done at that time). FBI property stamp prohibits distribution beyond recipients.

In view of the fact that classified data is involved, a violation of the Espionage Statute on the part of both Otepka and Sourwine (and any others connected with this matter) may be involved. Section 793, paragraph (d), of Title 18, U.S. Code, prohibits disclosure of national defense information on part of person having lawful

1 - 65-61517 (Cleveland)

RDG:HCF:vms

5 JUL 30 1963

Enclosure

REC-69

2 JUL 23 1963

NAT. INT. SEC.

UNRECORDED COPY FILED IN 65-61517-1

Memorandum for Mr. Sullivan
Re: OTTO F. OTEPKA

possession of same to anyone not entitled to receive it. This could be applied to Otepka. Paragraph (e) of same Section prohibits unauthorized possession of national defense information and possibly is applicable to Sourwine in this instance.

OBSERVATIONS:

In view of the involvement of Sourwine, Chief Counsel, and possibly other members of the staff of the Senate Internal Security Subcommittee, it is extremely unlikely that the Department will authorize prosecution in this matter. Accordingly, rather than have the field undertake an exhaustive review of the report in question in order to determine what portions are classified and whether report can now be declassified for prosecutive purposes, it is felt we should first obtain an opinion from the Department as to whether prosecution will be instituted if a violation is proved.

ACTION:

Attached for your approval is a letter to the Attorney General with copies for the Deputy Attorney General, Executive Assistant to the Attorney General Oehmann (who has been briefed regarding this matter by the State Department) and Assistant Attorney General Yeagley of the Internal Security Division. Letter outlines the available facts in this matter and requests the Internal Security Division to advise whether prosecution will be undertaken if a violation is proved and if the report can be declassified.

no. De Soech will handle as indicated in his memo 6/26/63
Through liaison we will closely follow the administrative action taken by the State Department with regard to Otepka and any other State personnel involved in this matter.

JFW
RHS

cc
WCS
Q

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan

DATE: July 3, 1963

FROM : W. R. Wannall

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Mohr

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

In accordance with the Director's instructions Assistant Attorney General Yeagley was contacted this afternoon to determine if the Department had made a decision as to whether prosecution in captioned matter would be undertaken.

This case relates to the conflict in the State Department between Otepka, Chief of the Division of Evaluations of the Office of Security and John F. Reilly, Deputy Assistant Secretary of State for Security. Through covering Otepka's confidential trash Reilly developed information which he felt indicated documents from State Department files, including an FBI report, had been given to Jay Sourwine of the Senate Internal Security Subcommittee. We furnished information in this matter to the Attorney General, the Deputy Attorney General and Assistant Attorney General Yeagley in letter dated 7-1-63, and Mr. Andrew Oehmann of the Attorney General's office told Mr. Evans earlier today that the Attorney General had asked whether Otepka was going to be questioned and expressed the thought that Otepka should be willing to take a lie detector test.

Mr. Yeagley when contacted said he had seen our letter of 7-1-63. He stated that Reilly gave Mr. Oehmann samples of material which he said he had secured from the trash cover on Otepka's office and Yeagley felt that these samples indicated pretty clearly that copies of documents from State Department files were made apparently for Sourwine. Referring to our letter in which we advised that both Senator James O. Eastland, Chairman of the Senate Internal Security Subcommittee, and Mr. Jay Sourwine had categorically denied Reilly's allegations, Yeagley said he believed Senator Eastland but on the basis of what he had seen he was not inclined to believe Sourwine's denial.

Mr. Yeagley said he did not see how the Department could close its eyes to the possibility that Otepka had given information from State Department files to an unauthorized person. He added, however, that the Department has not yet made any decision in this matter but had it under current consideration and the opinion of the Department would be furnished to us in writing. Mr. Yeagley said that

WRW:dmd (8)

- 1 - Mr. Wannall
- 1 - Mr. Wacks

REC-69

2 JUL 23 1963

62 AUG 2 1963

NAT. SEC.

Memorandum to Mr. Sullivan
Re: OTTO F. OTEPKA

this being the case he did not feel that the question and comment from the Attorney General should be interpreted as a request for investigation by the FBI and, accordingly, the Bureau should not undertake any investigation until a Departmental decision is rendered.

ACTION:

As pointed out in Mr. Evans' memorandum to Mr. Belmont earlier today this situation is a highly explosive political one and it would not be to the Bureau's best interest to be dragged into the affair if we can avoid it. Of course, if the Department determines that the facts in the matter, if proven, would constitute a violation of Federal statutes over which we have investigative jurisdiction, we would be called upon to conduct such investigation as the Department specifically outlines. Accordingly, at this time it is recommended we wait until we get the Departmental opinion in writing and in the event investigation is requested that we have the Department outline specifically what is required.

JFW
RHS

Bev

CRK.
H/S

WCS

✓

FROM
EXECUTIVE ASSISTANT TO THE ATTORNEY GENERAL
TO

Official indicated below by check mark

ssa

Attorney General	
Director, Public Information	
Deputy Attorney General	
Solicitor General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Civil	
Assistant Attorney General, Civil Rights	
Assistant Attorney General, Criminal	
Assistant Attorney General, Internal Security	
Assistant Attorney General, Lands	
Assistant Attorney General, Tax	
Assistant Attorney General, Legal Counsel	
Assistant Attorney General, Alien Property	
Administrative Assistant Attorney General	
Director, Federal Bureau of Investigation	✓
Director, Bureau of Prisons	
Commissioner, Immigration and Naturalization	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Librarian	
Records	

MEMORANDUM

7/2/63

Attention: Mr. Courtney Evans

The Attorney General has asked:

"Is Otepka going to be questioned? I think he should be willing to take a lie detector test."

OTTO F. OTEPKA AFO

Handwritten:
7/3/63
CAE

Handwritten:
Yc

REC-69

65-68266-4

JUL 23 1963

NAT. INT. SEC.

204 ENCLOSURE
62 JUL 31 1963

The Attorney General

July 1, 1963

Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

On June 20, 1963, Mr. John F. Reilly, Deputy Assistant Secretary of State for Security, advised that information had come to his attention that Otto F. Otepka, Chief, Division of Evaluations, Office of Security, Department of State, has been feeding information regarding security practices in the Department of State to Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee. According to Reilly, the subject has been seeking to undermine him, apparently in an effort to obtain his job.

Reilly stated that he has been covering the confidential trash from Otepka's office and through this means has developed information indicating that documents from the files of the Department of State have been given to Sourwine. He based this conclusion on the fact that the trash has included copies of various documents with the headings and classifications excised. Reilly further advised that Otepka's trash has included copies of questions which the subject evidently has supplied to Sourwine for use in questioning Reilly during the latter's appearance before the Senate Internal Security Subcommittee.

According to Reilly, on June 18, 1963, a check of the subject's trash revealed a cover sheet from an FBI report concerning Harlan Cleveland, who is currently serving as Assistant Secretary of State for International Organization Affairs. Reilly said a copy of this FBI report, which consists of more than 100 pages, is in the files of the Department of State and that it would appear Otepka had reproduced the report and, after removing the cover sheet, had furnished the copy to Sourwine.

The cover sheet identified by Reilly as having been found in Otepka's trash is a copy of the first page of the report of Special Agent William H. Atkinson dated May 11, 1953, at Washington, D. C., entitled "Harlan Cleveland, aka James Harlan Cleveland; Miscellaneous - Information Concerning (Espionage)."

65-68266-4

ENCLOSURE

The Attorney General

This report, which sets out detailed background information and the results of an FBI investigation of Cleveland, was prepared in response to a request from the Economic Cooperation Administration (ECA) which advised that Cleveland, then an official with ECA, had sponsored or had been connected with eleven applicants for ECA employment who were denied such employment on security grounds.

The report is classified "Security Information - Confidential" and includes information from a number of FBI confidential sources and informants as well as from various other Government agencies. A copy of this report was furnished to the Department on June 15, 1963.

Reilly said that he was bringing this matter to our attention in view of the possible violation of law and he stated that he would also advise Mr. Andrew F. Gehmann, Executive Assistant to the Attorney General, concerning this matter.

An official of this Bureau on June 28, 1963, was in touch with Senator James O. Eastland, Chairman, Senate Internal Security Subcommittee, and with Mr. Jay Sourwine. Both Senator Eastland and Mr. Sourwine categorically denied the allegations made by Mr. Reilly. Mr. Sourwine stated he would like to make it a matter of record that under no circumstances has he received at any time any FBI information, including classified information or material, from Otopka.

In view of the foregoing, no further action in this matter is contemplated by this Bureau in the absence of a request from the Department.

1 - The Deputy Attorney General

① - Mr. Andrew F. Gehmann
Executive Assistant to the Attorney General

1 - Mr. J. Walter Yeagley
Assistant Attorney General

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

TO : MR. BELMONT

DATE: 7/3/63

FROM : C. A. Evans

cc Mr. Belmont
 Mr. Sullivan
 Mr. DeLoach
 Mr. Evans

SUBJECT: OTTO F. OTEPKA
 Espionage - X

Andrew Oehmann, Executive Assistant to the AG, has returned a copy of our memorandum of 7/1/63 to the AG in this case. Oehmann states the AG has asked, "Is Otepka going to be questioned? I think he should be willing to take a lie detector test."

This matter, of course, involves the conflict in the State Department between Otepka, Chief of the Division of Evaluations of the Office of Security, and John F. Reilly, Deputy Assistant Secretary of State for Security. Reilly covered Otepka's confidential trash in his office and developed information indicating documents from the files of the State Department, allegedly including an FBI report, had been given to Jay Sourwine, Chief Counsel of the Senate Internal Security Subcommittee. We talked with Sourwine and with Committee Chairman Eastland, who categorically denied the allegations made by Reilly.

RECOMMENDED ACTION:

This situation is a highly explosive political one. The possibilities for any prosecution seem extremely remote. Under the circumstances, it would not be to the Bureau's best interest to be dragged into the affair if we can avoid it. Certainly we should not have a series of requests for investigation which will only drag out the controversy. The State Department is taking action administratively in an effort to dismiss Otepka.

In view of the foregoing, it is believed we should discuss this entire case with the Internal Security Division of the Department so that we can get a decision as to over-all Departmental action. Yeagley will undoubtedly want to take this up with the AG, but that should be his prerogative, and the Bureau should not enter into what is properly an interdepartmental matter.

REC- 69

65-68266-5

2 JUL 23 1963

CAE:CSH (5)

60 AUG 1 1963
 89 7-3-63
 W.R.W. dmd

NAT. SEC.
 W.R.W.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: 6/20/63

FROM : A. H. Belmont *AMB*cc Mr. Belmont
Mr. DeLoach
Mr. Sullivan
Mr. Branigan *8-*SUBJECT: OTTO F. OTEPKA
Chief, Division of Evaluations,
Office of Security,
Department of State
INFORMATION CONCERNING (ESPIONAGE)

Mr. John F. Reilly, Deputy Assistant Secretary of State for Security, came to see me about 11 a.m. today to advise he wanted to notify us that he thought one of our investigative reports had been compromised.

Reilly advised that Otto F. Otepka, Chief of the Division of Evaluations, Office of Security, at State, has been out to get anyone holding Reilly's position, including Reilly, apparently in the belief that he, Otepka, is the only man qualified to handle the job. As a result, Otepka has been "playing footsie" with Jay Sourwine of the Senate Internal Security Subcommittee, and has been feeding Sourwine information on security practices in the State Department. The Senate Subcommittee has been holding hearings on State Department security practices, and has been questioning State Department employees, including Otepka, Reilly, and others.

Reilly said he has been covering the confidential trash from Otepka's office, and through this means has come up with information indicating that documents from State Department files have been furnished to Sourwine. Reilly draws this conclusion based on the fact that the trash shows copies of documents with the headings and the classifications cut off. The trash has also furnished Reilly with copies of questions which Otepka has fed to Sourwine for the purpose of questioning Reilly when he appears before the committee. In other words, Reilly has been in the position of knowing what questions are going to be asked him before he appears.

Last Tuesday, 6/18, in checking Otepka's trash, Reilly found the cover sheet of an FBI report on CHARLAN CLEVELAND, who is Assistant Secretary of State for International Organization Affairs. Reilly said the FBI report itself is in State Department files and runs over 100 pages, and it would appear that Otepka has reproduced the report, taken off the cover sheet (copy attached), and furnished the report to Sourwine.

AHB:CSB

Enclosure

ENCLOSURE

JUL 50 3 DEC 31

65- JUL 23 1963

EX-108

NAT. SEC.

JUL 20 1963

Mr. Tolson

Reilly said that the Senate Subcommittee has been interested in Harlan Cleveland. Cleveland appointed an advisory committee of outsiders the first of this year to study the staffing of international organizations. The advisory committee prepared a draft preliminary report in 2/63, and sent it to the State Department for examination in 3/63. Reilly sent this report to Otepka for comment and learned that Otepka ordered six Xerox copies to be made. Reilly had a seventh copy made. When Reilly appeared before the Senate Subcommittee Sourwine asked him to identify a copy of this advisory committee report which Otepka had apparently furnished the subcommittee on an unauthorized basis. Reilly compared the subcommittee copy of the report with the seventh copy he had retained and found them to be identical. Reilly said the Senate Subcommittee was questioning the type of person that Harlan Cleveland appointed to his advisory committee.

Yesterday Sourwine called four employees of Reilly's office before the subcommittee and questioned them as to investigative procedures adopted by Reilly, as a result of which Sourwine learned that Reilly had been checking Otepka's trash. Reilly said Sourwine objected to Senator Dodd, but the Senator told Sourwine that Reilly's technique was perfectly proper.

Reilly said that one of his four employees called by Sourwine is a nephew of Senator Mike Mansfield, as a result of which a move is afoot to call a full Committee hearing of Sourwine's activities in clandestinely securing documents from the State Department through Otepka, and using his office to assist Otepka in pursuing a personal vendetta.

Reilly said he felt he had to bring to our attention the fact that it appeared Otepka had furnished a copy of our report to Sourwine as this was a possible violation of the law. He said he was going to call this to the attention of Andy Oehmann in the Attorney General's office.

ACTION:

I told Mr. Reilly that we appreciated his bringing this to our attention. I told him that this report on Cleveland had been furnished to the State Department on an official basis and it was the responsibility of the State Department to protect the report. I asked him what State Department was going to do about our report and the other confidential material which Otepka had apparently furnished

Mr. Tolson

to Sourwine. He said he had immediately brought the matter to our attention, in so far as our report was concerned, so that we would know of the matter and could consider a possible violation of the law; that this may develop into a full hearing of the Senate Committee to consider the propriety of the actions of Sourwine. In so far as Otepka is concerned, Reilly is transferring him to some far-off spot where he will not have access to any classified State Department data.

Reilly said that two other State employees had assisted Otepka, one being a former Bureau agent named Jack Norpel, and that he was immediately transferring them out of his office. He advised that Secretary Rusk was aware of this situation.

I told Mr. Reilly that we would call this situation to the attention of the Department with reference to the alleged compromise of our report, to determine whether the Department considered this a violation of the law and whether the Department wanted to pursue the matter from a prosecutive standpoint.

I told Mr. Reilly that we wanted to be kept advised of any further developments within the State Department and particularly any indication that the Senate Committee was going to make use of this FBI report in any way.

FEDEF

BU OF INVESTIGATION

SECURITY INFORMATION CONFIDENTIAL

Form No. 1

THIS CASE ORIGINATED AT WASHINGTON FIELD

FILE NO.

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 2/10-12; 3/6, 16, 17, 20, 23-26, 30; 4/1, 2, 6-10, 13, 15, 20-27/53	PERIOD FOR WHICH MADE 2/10-12; 3/6, 16, 17, 20, 23-26, 30; 4/1, 2, 6-10, 13, 15, 20-27/53	REPORT MADE BY WILLIAM H. ATKINSON DL
TITLE HARLAN CLEVELAND aka James Harlan Cleveland			CHARACTER OF CASE MISCELLANEOUS - INFORMATION CONCERNING (ESPIONAGE)

SYNOPSIS OF FACTS:

CLEVELAND born 1/19/18, NYC. Subject employed by MSA, (ECA), 4/29/48, to 2/20/53, as Consultant and Director, Division of China Program; Executive Assistant and Deputy to Assistant Administrator for Program, Office of the Assistant Deputy Administrator for Program; Assistant Director for Europe or Consultant, Office of the Assistant Director for Europe. During this employment CLEVELAND sponsored the re-employment with ECA of a former ECA employee and an individual who had served with ECA on a reimbursable detail basis, both of whom were denied employment on security grounds but who during their initial employment or service had been certified by ECA Administrator as to loyalty. CLEVELAND sponsored four applicants for ECA employment who were denied employment on security grounds, two of these applicants had been members of organizations falling within the purview of EO 9835, another, WILLIAM DIAMOND, has been identified by T-7, of known reliability, as a Communist and the fourth, JOSEPH LEON NELLIS, whose father during World War II had numerous contacts with Soviet Government Representatives in the U. S., was granted preliminary security clearance for one week only. Subject was also acquainted with four individuals who were suggested or sponsored for ECA employment by others but who were denied employment on security grounds. Of these JACK H. BRYAN and ELEANOR HADLEY after an

APPROVED AND
FORWARDED:

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN THESE SPACES

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ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MOHR

DATE: 6/28/63

FROM : C. D. DE LOACH

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

FOIPA # 236,334

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-12-84 BY SP7MAC/ate

Tolson _____
 Belmont ☒ _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach ☒ _____
 Evans ☒ _____
 Gale _____
 Rosen ☒ _____
 Sullivan ☒ _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

At 10:10 A.M., today, I spoke with Senator Jim Eastland, Chairman Senate Judiciary Committee, also Chairman, Senate Internal Security Subcommittee, regarding the allegations that Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee, had allegedly accepted a classified FBI report from captioned individual. I told the Senator that a check of Otepka's trash had developed information indicating that documents from the files of Department of State may have been given to Sourwine. I told him also that a check of Otepka's trash had revealed the cover sheet from an FBI report concerning Harlan Cleveland, who is currently serving as Assistant Secretary of State for International Organization Affairs. The Senator was advised that the allegation received indicated that Otepka may have reproduced the report and, after removing the cover sheet, had furnished the copy to Sourwine.

Both Wash D.C. Senator Eastland told me there was no truth to the allegations. He stated he worked closely with Sourwine and, therefore, would be in a position to know if Sourwine had received such information. He stated that to the best of his knowledge Sourwine did not receive the report on Cleveland and, as a matter of fact, to his knowledge had never received any FBI information from Otepka. The Senator indicated that Otepka had, of course, testified before his committee and had furnished considerable information which might be considered damaging to the Department of State.

At approximately 11:10 A.M., today, Mr. Sourwine was interviewed by Inspector Kemper and me in Mr. J. P. Mohr's office at FBI Headquarters. I told Sourwine of the allegations received and he immediately replied that for the most part these allegations were a matter of record in testimony taken from Otepka and John F. Reilly, Deputy Assistant Secretary of State for Security. (We have received, in confidence, the transcripts of proceedings involving both Otepka and Reilly.)

Wash D.C. Sourwine stated he would like to make it a matter of record that under no circumstances has he received at any time any FBI information, including classified information, or material, from Otepka. He specifically included the report on Harlan Cleveland. Sourwine advised that Cleveland's background was well known and that the Senate Internal Security Subcommittee had been gathering information on Cleveland for some months. He stated that considerable information on Cleveland was a matter of public record in congressional files.

1 - Mr. Belmont

1 - Mr. Evans

CDD:hif

(6)

1 - Mr. Sullivan

1 - Mr. Wannall

REC-24

JUL 23 1963

NAT. SEC.

Memorandum Mr. DeLoach to Mr. Mohr
Re: OTTO F. OTEPKA

I asked Sourwine specifically how he had been able to ask pointed questions of Reilly concerning Cleveland if an FBI report had not been available to him. He reiterated that his subcommittee has voluminous information on Cleveland which had been gathered over a period of time from public sources and he, therefore, was in a position to ask specific questions. Sourwine told me that he would be glad to make this statement before anyone.

Sourwine advised that Otepka has given considerable damaging information to the Senate Internal Security Subcommittee. Otepka was first subpoenaed in connection with the matter involving William Arthur Weiland, with alias Montenegro. In the initial hearings Otepka attempted to protect the Department of State as much as possible; however, Senator Eastland and Sourwine bore down considerably on Otepka inasmuch as the Senate Subcommittee strongly believed that Weiland was responsible for the fiasco in Cuba. As a result, Otepka, under oath, had to give embarrassing answers concerning State Department policies and procedures. Sourwine stated that as a result Otepka had been looked upon with suspicion by the Department of State, had been demoted twice (despite the fact that State Department had promised Senator Eastland this would not occur), had been removed from his post as liaison officer with the FBI, was not allowed to evaluate security investigations concerning State Department personnel, and had undergone considerable other embarrassments. Sourwine further indicated that Otepka was also no longer allowed access to classified materials in the Department of State. Sourwine stated this, of course, was off the record and he did not want to be quoted as the source.

DC
Sourwine told me that the Senators of his subcommittee had voted to subpoena Secretary of State Rusk and Abba Schwartz, the head of Security for State, as of July 12, 1963, the reasons being that Reilly, upon appearing before the Senate Internal Security Subcommittee, had perjured himself and had also denied the Senate Subcommittee the availability of certain other witnesses to testify. Sourwine stated this was a very bitter matter among the Senator members of his subcommittee and they were determined to get to the bottom of it.

Sourwine further told me that Reilly was obviously very apprehensive of further testimony by Otepka. He stated that Otepka is in a position to testify on the record that Reilly has put into practice certain procedures at State which can prove very damaging to the security of the Department of State and of the country. Sourwine advised that he did not want to be quoted in this regard; however, he and Senator Eastland both well knew that if the hearings regarding Weiland, Otepka, Reilly, and

over
↓

Memorandum Mr. DeLoach to Mr. Mohr
Re: OTTO F. OTEPKA

DEPT. OF STATE
Wash. D.C.

Frances Knight (Director, Passport Office) became known to the general public there would be a huge scandal. He stated there is a distinct possibility that such hearings will become known in the near future, particularly if Reilly persists in lying and operating the way he is doing at the present time.

I told Sourwine I wanted to ask him one further question. I then asked him if Otepka had at any time prepared questions for Sourwine that might be asked of Reilly or anyone else, based upon FBI reports or classified information from any source. Sourwine stated he deeply resented the allegation that any outside source would prepare his questions. He denied that this had ever been done and stated he was perfectly capable, as an attorney and as Chief Counsel, to prepare his own questions.

Sourwine told me in confidence that Senator Eastland and the other members of the Subcommittee have been made aware of a voluminous cache of files and information which the former Ambassador to Ireland and Director of Security, Department of State, Scott McLeod, had left in a secure place at the time of his death. McLeod, apparently in his will, had indicated that this material could be very damaging to the Department of State and asked that it be carefully safeguarded. McLeod, a former Agent, was in a position to be fully aware of poor security practices and security risks in the Department of State and it may be that he would have such information secluded. Sourwine stated he knows where this information is contained and that he has been given permission to take a look at it in the event Senator Eastland feels it is necessary in this dispute.

OBSERVATIONS:

This entire situation stinks. It is, of course, a bitter feud between the more "liberal" elements of the Department of State--the conservative elements of the Department of State, and the Senate Internal Security Subcommittee attempting to find out as much information as possible before releasing a final report on the William Arthur Weiland matter and other matters affecting poor security practices in the Department of State. Reilly, obviously a member of the side which is attempting to oust Otepka, Frances Knight and others, will, of course, use any tools possible to gain his objective. This is obviously the reason he has approached the FBI with circumstantial allegations possibly involving Otepka. Reilly acclaims his examination of a trash coverage indicates that Otepka has released classified FBI information to

Memorandum Mr. DeLoach to Mr. Mohr
Re: OTTO F. OTEPKA

the Senate Internal Security Subcommittee. This is circumstantial. Senator Eastland and Sourwine denied this emphatically. I, therefore, think we should stay out of this messy situation as much as possible, rather than being "used" by either side.

It is, therefore, recommended that the Domestic Intelligence Division prepare a brief, concise letter to the Department concerning (a) the allegations by Reilly; (b) the fact that Senator Eastland and Sourwine specifically deny these allegations; and (c) asking the Department if any further action is desired.

RECOMMENDATION:

As indicated above.

BE
JPA
6/28

Memo to
A.G.
7/1/63
HCT:WRW

I suggest
the memo
be sent to
as with
copies to
Deputy as
& Internal
Security
Divisions
1 6/30
yes, L
X

Sp Mike Invert

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach
The Attorney General 1 - Mr. Evans
1 - Mr. Sullivan
1 - Mr. Wannall
Director, FBI 1 - Liaison
1 - Mr. Wacks
1 - Mr. Flemister

July 1, 1963

Original cannot be located
and is not on record. When
original is received in Records
Branch it will be filed either
with this copy or may be given
a new serial.

10-22-63 agm

ypt

OTTO F. OTEPKA
ESPIONAGE - X

On June 20, 1963, Mr. John F. Reilly, Deputy Assistant Secretary of State for Security, advised that information had come to his attention that Otto F. Otepka, Chief, Division of Evaluations, Office of Security, Department of State, has been feeding information regarding security practices in the Department of State to Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee. According to Reilly, the subject has been seeking to undermine him, apparently in an effort to obtain his job.

Reilly stated that he has been covering the confidential trash from Otepka's office and through this means has developed information indicating that documents from the files of the Department of State have been given to Sourwine. He based this conclusion on the fact that the trash has included copies of various documents with the headings and classifications excised. Reilly further advised that Otepka's trash has included copies of questions which the subject evidently has supplied to Sourwine for use in questioning Reilly during the latter's appearance before the Senate Internal Security Subcommittee.

According to Reilly, on June 18, 1963, a check of the subject's trash revealed a cover sheet from an FBI report concerning Harlan Cleveland, who is currently serving as Assistant Secretary of State for International Organization Affairs. Reilly said a copy of this FBI report, which consists of more than 100 pages, is in the files of the Department of State and that it would appear Otepka had reproduced the report and, after removing the cover sheet, had furnished the copy to Sourwine.

Comm stamp

REC-103

47 OCT 23 1963

The cover sheet identified by Reilly as having been found in Otepka's trash is a copy of the first page of the report of Special Agent William H. Atkinson dated May 11, 1953, at Washington, D. C., entitled "Harlan Cleveland, aka James Harlan Cleveland; Miscellaneous - Information Concerning (Espionage)."

HCF/WRW:vms;djw
22 (16)

SEE NOTE, PAGE 2

66 OCT 24 1963 (Cleveland)

gm
Ba
Jour
SD
WRW

The Attorney General

This report, which sets out detailed background information and the results of an FBI investigation of Cleveland, was prepared in response to a request from the Economic Cooperation Administration (ECA) which advised that Cleveland, then an official with ECA, had sponsored or had been connected with eleven applicants for ECA employment who were denied such employment on security grounds.

The report is classified "Security Information - Confidential" and includes information from a number of FBI confidential sources and informants as well as from various other Government agencies. A copy of this report was furnished to the Department on June 15, 1953.

Reilly said that he was bringing this matter to our attention in view of the possible violation of law and he stated that he would also advise Mr. Andrew F. Oehmann, Executive Assistant to the Attorney General, concerning this matter.

An official of this Bureau on June 28, 1963, was in touch with Senator James O. Eastland, Chairman, Senate Internal Security Subcommittee, and with Mr. Jay Sourwine. Both Senator Eastland and Mr. Sourwine categorically denied the allegations made by Mr. Reilly. Mr. Sourwine stated he would like to make it a matter of record that under no circumstances has he received at any time any FBI information, including classified information or material, from Otepka.

In view of the foregoing, no further action in this matter is contemplated by this Bureau in the absence of a request from the Department.

- 1 - The Deputy Attorney General
- 1 - Mr. Andrew F. Oehmann
Executive Assistant to the Attorney General
- 1 - Mr. J. Walter Yeagley
Assistant Attorney General

NOTE: This letter prepared in accordance with memorandum Mr. C.D. DeLoach to Mr. Mohr 6/28/63 in captioned matter.

65-68266-7

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BELMONT

DATE: 7/15/63

FROM : C. A. Evans

cc Mr. Belmont
Mr. Sullivan
Mr. DeLoach
Mr. Evans
Mr. Wannall

SUBJECT:

OTTO F. OTEPKA
ESPIONAGE - XTolson _____
Belmont ☒
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach ☒
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Andrew Oehmann, Executive Assistant to the Attorney General, called and referred to a memorandum from Assistant AG Yeagley to the Director, dated 7/10/63, requesting investigation in this case.

Otepka is the State Department employee who allegedly has been furnishing information from State Department files, including classified documents and an FBI report, to representatives of the Senate Internal Security Subcommittee.

Oehmann advised that the AG had approved the request for investigation in this case, which asks that we make limited inquiries of State Department personnel. Oehmann said that, while the memorandum does not contain any restrictions, the AG wanted us to know he felt it inadvisable to conduct any interviews of members or employees of the Senate Internal Security Subcommittee. Oehmann stated that, quite frankly, the AG does not want to get into any dispute with the Senate Committee, and it is hoped that this matter can be terminated with Otepka resigning his position.

Oehmann was informed that we would proceed with the investigation requested, but that we would not conduct any interviews on the Hill.

CAE:CSH (6)

REC-39

10 JUL 23 1963

56 JUL 30 1963

EX-108

JUL 12 2 32 PM '63

F B I

Date: 7/23/63

Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESPIONAGE-X
(OO:WFO)

ReBuairtel 7/17/63.

In absence of JOHN F. REILLY, Deputy Assistant Secretary for Security, USDS, who is on annual leave at Rehoboth Beach, Delaware, [redacted] Special Assistant for Personnel Security, and [redacted] Assistant Special Agent in Charge, Washington Field Office, USDS, were interviewed 7/22/63. Interview developed information that coverage of activities of subject by USDS has been confined to classified trash coverage of office of subject which was initiated 3/11/63 and continued until 6/18/63. Since coverage initiated, following classified documents or portions thereof have been recovered from trash.

1. First page (synopsis) and following four pages preceding details of FBI report entitled "HARLAN CLEVELAND, aka JAMES HARLAN CLEVELAND, MISCELLANEOUS - INFORMATION CONCERNING (ESPIONAGE)" (Bufile 65-61517, WFO 65-6362)

3 - Bureau
1 - WFO

RCB:cjj
(4)

AIRTEL

C. C. Wick

REC-62

65-68266-9

3 JUL 31 1963

Approved: _____
Special Agent in Charge

59 AUG 6

1963

Sent _____ M Per _____

ESPIONAGE

2. Information indicating that a memorandum prepared by [] had been furnished to Senate Committee
3. Four or five documents relating to International Organizations dealing with inter-American affairs

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b7C

With regard to FBI report [] stated that it appeared subject may have furnished reproduced copy of report to SOURWINE of Senate Committee, deleting the pages preceding the details. With regard to Item 2, references to this memorandum are included in a document containing proposed questions for [] and REILLY which were recovered from the trash. [] stated that this document is believed by him to bear a valid classification of "Confidential." Originals of the other four or five classified documents are being located by [] to determine their classification and whether they may be declassified for prosecution.

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b7C

[] advised that subject was entitled to possession of all classified material described above in connection with his official duties. [] admitted that all evidence that subject has passed information to Eastland Committee was circumstantial and that the only apparent possibility of establishing a violation was through additional investigation. He suggested the following individuals whom he felt were probably in a position to furnish additional information if cooperative:

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1. [] Personal Secretary to OTEPKA, who is presently reassigned to Washington Field Office, USDS [] commented that to his personal knowledge [] was completely loyal to OTEPKA and the probability of her cooperation was doubtful).
2. JOHN NORPEL, Evaluations Section, temporarily assigned to Washington Field Office, USDS (former SA of the FBI)

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b7C

3. [] formerly in
Evaluations Section, and presently
assigned to New Orleans Field Office,
USDS

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b7C

4. [] Evaluations Section

5. [] Evaluations Section

[] commented that NORPEL and [] were both
very close to subject and in his opinion were loyal to
OTEPKA.

[] advised that REILLY has appeared before
the Eastland Committee on two or three occasions beginning
in about March, 1963. During the committee interrogation
it became apparent to REILLY that individuals in USDS had
furnished information to committee representatives regarding
USDS activities. Particular questions were posed with
respect to the Bureau of International Organization Affairs,
USDS. Alleged hypothetical questions were posed for the
consideration of REILLY which actually were factual and
which were documented in USDS files. Primarily these
questions related to personnel in the Advisory Committee
on the Arts which is within the Office of Assistant
Secretary of State HARLAN CLEVELAND. As a result of these
questions, REILLY studied the problem and arrived at the
conclusion that OTEPKA appeared to be the most logical
suspect for the leak of information to the Senate Committee.
As a result, a trash coverage was initiated as described
above. OTEPKA continues to retain his title and salary
grade (GS-15) but is presently assigned to an innocuous
duty of revising portions of a USDS training manual.

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[] telephonically contacted REILLY
subsequent to the above interview indicating the Bureau
desired expeditious interview. REILLY advised that he
would return to Washington, D. C., Friday, 7/26/63.
BELISLE will arrange interview at earliest opportunity.

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Inasmuch as REILLY is the original source
of information in this investigation and in view of
his position as head of the office where subject is
employed, further investigation will be held in abeyance
pending his interview.

FBI

Date: 7/26/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038)(P)

OTTO F. OTEPKA
ESP - X
(OO:WFO)

ReWFOairtel 7/23/63.

JOHN F. REILLY, Deputy Assistant Secretary of Security, USDS, interviewed 7/25/63. REILLY furnished names of following additional individuals whom he felt might have information available concerning subject's activities:

_____ presently Regional Security Officer, Frankfurt, Germany. Presently in Washington, D.C. and available for interview.

_____ formerly with USDS and presently with Bureau of Budget.

_____ Evaluations Section, Security Office, USDS, who reportedly is close to OTEPKA. (Former FBI **Special Agent**)

_____ Evaluations Section, Security Office. Believed to be very close to OTEPKA.

③ Bureau
1- WFO

RCB:rmb
(4)

C. C. Wick

cchacks

EX-115

AUG 2 1963

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

[redacted] Congressional Liaison Office,
USDS, who maintains contact with Eastland
Committee.

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REILLY appeared before Senate Subcommittee on Internal Security on April 25, April 30, and May 21, 22, and 23, 1963. During these appearances he testified regarding questions on personnel clearance procedures for various individuals connected with the Bureau of International Affairs, USDS, and also regarding the Advisory Committee on Arts. The latter committee, as well as other personnel in this section, function under the office of Assistant Secretary of State HARLAN CLEVELAND. REILLY was questioned whether CLEVELAND was responsible for appointment of certain individuals in USDS and when REILLY responded that he was so responsible, a Committee member commented that possibly CLEVELAND should be brought before the Committee for interrogation.

REILLY stated that his suspicions regarding OTEPKA leaking information to the Senate Committee Staff began in about July, 1962. At that time REILLY and OTEPKA attended a meeting in the Office of Assistant Secretary [redacted] at which time the possibility was discussed of appointing [redacted] to a position in USDS. Only six persons were present in this meeting. About two or three days later, REILLY met SOURWINE, of the Senate Subcommittee Staff, and during this brief contact SOURWINE observed that he understood McLEISH was being considered for appointment. Later on the same day, REILLY mentioned this to OTEPKA and inquired if OTEPKA knew where SOURWINE learned of this information. OTEPKA responded that SOURWINE had many sources in the government. REILLY informed OTEPKA that he, OTEPKA, had better not be the source. REILLY noted that he was asked during his appearance before the Senate Subcommittee several questions allegedly of a hypothetical nature regarding the procedures for clearing people for positions in the International Organization Affairs Plan. It became apparent to REILLY

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WFO 65-9038

that these were not hypothetical questions but were actually documentary cases in the files of the Security Office.

In view of these circumstances and with the supporting material recovered through the classified trash recovered in the office of subject, REILLY felt there was strong evidence that OTEPKA had furnished information either documentary or orally, to the Senate Subcommittee Staff. He also noted that OTEPKA obviously had access to copies of Executive Session Testimony of REILLY before the Committee, inasmuch as the trash coverage referred to this testimony and suggested further questions which might be posed to REILLY. OTEPKA has never been known by REILLY to have legal access to such Executive Session Testimony.

During interview, REILLY was questioned as to whether classified material illegally furnished the Senate Subcommittee by OTEPKA would have been furnished this Committee legally through the Liaison Office of USDS. REILLY replied that all of the material which OTEPKA had apparently passed to the Committee would have been available through normal channels on request except for the FBI report.

WFO is proceeding with interview of [REDACTED] secretary of OTEPKA, on July 26, 1963 and, thereafter will interview all other logical persons employed by USDS. Prior Bureau authority will be requested, however, before attempting to interview OTEPKA.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

F B I

Date: 7/31/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038)

OTTO F. OTEPKA
ESPIONAGE - X
(OO:WFO)

ReWFOairtel 7/26/63.

[redacted] Secretary to subject from [redacted] interviewed 7/26 and 29/63. Denied any knowledge that subject furnished any documents or information to unauthorized individuals. Denied any knowledge of contacts between subject and SOURWINE of Senate Subcommittee on Internal Security or other individuals on congressional committees. She identified material relating to testimony of JOHN F. REILLY as being contained in numerous pages of roughdraft hand written material which subject gave her for typing, instructing that she expedite completion of this assignment. She also recalled reproducing three pages of FBI report on HARLAN CLEVELAND, at request of subject. [redacted] recognized other documents exhibited to her during interview as having been seen by her in office of subject. She states she may have reproduced these documents at request of subject and if so, she assumed they were to provide working copies for subject's official use.

3-Bureau
1-WFO
RCB:dfn
(4)

AIRTEL

C. C. Wick

REC 22

65-68266-11

EX 104

JUL 31 1963

Wt AAG Yeagley
JFw: [signature]
8-2-63

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

b6
b7c

WFO 65-9038

[] interviewed 7/29/63. [] denied any knowledge of subject furnishing any documents or information to unauthorized individuals including personnel of congressional committees. Admitted delivering at request of subject one or two transcripts of testimony believed to be that of subject to office of SOURWINE.

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JOHN R. NORPEL, Jr. presently assigned Washington Field Office, U. S. Department of State interviewed 7/30/63. NORPEL denied any knowledge of subject furnishing classified information or documents to unauthorized individuals including personnel of congressional committees. Subject on one or two occasions stated to him that REILLY had made vicious comments about him, OTEPKA, and that he had to defend himself. NORPEL heard rumors several weeks ago that OTEPKA was suspected of furnishing documents to a congressional committee. The first incident was that following the return of Mr. REILLY from testifying before the Senate Subcommittee on Internal Security. At that time, exact date not recalled, REILLY stated that the Committee was in possession of a memorandum which he had signed. NORPEL subsequently heard, source not recalled, that investigation had been initiated to establish the source of a leak of information. This investigation was being conducted by a private organization in Washington, D. C., identity not known. However, this same investigative firm had allegedly been utilized by [] of the Pentagon in connection with efforts to establish the sources of information of Senator KEATING with regard to the Cuban crises. NORPEL declined to identify his source for this rumor, but stated the investigation of U. S. Department of State personnel allegedly involved physical surveillances of U.S. Department of State personnel and included telephone taps. He had no information to support this rumor. Following the detailing of OTEPKA, [] NORPEL and [] from their former positions to their present assignment which occurred on 6/27/63, OTEPKA appeared at the residence of NORPEL on approximately 7/5/63. OTEPKA asked NORPEL if through his FBI contacts he could determine whether the Bureau was investigating this matter. NORPEL declined to do this.

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b7C

WFO 65-2038

NORPEL then inquired of OTEPKA whether he had ever furnished any information or documents to individuals on a congressional committee. OTEPKA replied that he had not done so.

Interviews with additional U. S. Department of State personnel being promptly conducted and Bureau will be advised of results.

Mr. J. Walter Yeagley
Assistant Attorney General

August 13, 1963

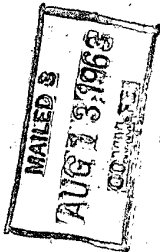
Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

Aug 13 3 40 PM '63
REC'D-READING ROOM
FBI

Reference is made to this Bureau's letter dated August 2, 1963, in which results of investigation in this case were furnished. In addition to the information contained therein, the following Department of State employees have been interviewed and all have advised that they possess no information indicating that the subject had actually furnished documents, classified or unclassified, to unauthorized persons including personnel of Congressional committees:

- (1) [redacted] Evaluation Section;
- (2) [redacted] Evaluation Section;
- (3) [redacted] Legislative Officer,
Congressional Relations;
- (4) [redacted] Security Officer and
Executive Director, U. S. Arms Control and
Disarmament Agency;
- (5) [redacted] Washington Field Office;
- (6) [redacted] Training Officer, Office of
Security;
- (7) [redacted] former Deputy Under
Secretary of State for Administration;
- (8) [redacted] Special Assistant for
Personnel Security, Office of Security.



Tolson _____
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Mohr _____
Casper _____
Callahan _____
Conrad _____
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Evans _____
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Tele. Room _____
Holmes _____
Gandy _____

65-68266

JFW:pal

(4)

MAIL ROOM ☐ TELETYPE UNIT ☐

(SEE NOTE PAGE TWO)

Mr. J. Walter Yeagley

[] advised that the coverage of the classified trash in the subject's office was initiated on March 11, 1963, and was continued until June 18, 1963, during which period the following documents were removed from the trash:

- (1) The first five pages preceding the details of the report of Special Agent William H. Atkinson of this Bureau dated May 11, 1953, at Washington, D. C., entitled "Harlan Cleveland, aka James Harlan Cleveland; Miscellaneous - Information Concerning (Espionage)";
- (2) Information indicating that a memorandum prepared by Belisle had been furnished to the Senate Internal Security Subcommittee;
- (3) Four or five documents relating to international organizations pertaining to inter-American affairs.

With respect to the above-mentioned FBI report, [] stated that it appeared to him that the subject may have furnished a copy of the report to the Senate Internal Security Subcommittee deleting the five pages found in his trash basket. With regard to item two above, [] stated that references to this memorandum are included in a document containing proposed questions for [] and Mr. John F. Reilly, Deputy Assistant Secretary of State for Security, which were recovered from the trash. [] stated that he believes that this document has a valid classification of "Confidential." [] indicated that he would try to obtain the originals of the documents mentioned in item three above to determine their classifications and to ascertain whether they can be declassified in the event of prosecution. [] also stated that the

Mr. J. Walter Yeagley

subject was entitled to official possession of all the classified material found in his trash basket. In addition, Belisle said that he has no evidence of the subject's passing information or documents to the Senate Internal Security Subcommittee.

In our previous interview with [redacted] the subject's former secretary, she indicated that she knew of no contacts between the subject and Jay Sourwine, Chief Counsel of the Senate Internal Security Subcommittee. [redacted] advised that in a stenographic notebook belonging to [redacted] there were notations indicating telephone calls from Sourwine to the subject. Accordingly, we contemplate reinterviewing [redacted] to resolve this discrepancy. Subsequent to this interview we plan to interview the subject.

For your information there is enclosed an article entitled "From Washington Straight," which may be of interest.

Enclosure

NOTE:

On 6/20/63 Reilly charged the subject with feeding information to Sourwine. On 7/10/63 the Department requested that we investigate. WFO has been instructed to interview Otepka subsequent to the interview with [redacted]

1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Young
1 - Mr. Egan

Mr. Evans

August 5, 1963

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

[redacted] Special Assistant to Deputy Assistant Secretary of State for Security, testified before this Subcommittee in executive session 7-29-63. Copy of transcript attached. Accompanied by John S. Leahy, Jr., Congressional Liaison Officer, State Department.

[redacted] said he had been instructed by Mr. Crockett (apparently William J. Crockett, Deputy Under Secretary for Administration at State) that inasmuch as case involving Otto F. Otepka is currently under investigation by FBI, he was not to discuss investigation of Otepka. (Otepka being investigated by Bureau pursuant to request of Department of Justice to ascertain if there are violations of espionage and theft of Government property statutes.)

[redacted] testified he has no knowledge of Otepka's telephone having been tapped and does not know if listening device had been placed in Otepka's office. He said he was in Otepka's office when Reilly (John F. Reilly, Deputy Assistant Secretary for Security) looked through Otepka's safe, desk and files in Otepka's absence. [redacted] stated Otepka was under physical surveillance by State personnel at Reilly's instructions.

[redacted] related Otepka has been detailed to new duties by Reilly and although Otepka still has title of Chief of Division of Evaluations, Otepka has been instructed not to enter premises of Division of Evaluations, personnel of that division have been instructed not to discuss any cases with him, combination to Otepka's safe changed and Otepka's file cabinet lock changed.

[redacted] said Otepka was not charged with violating the law in having given information to J. Sourwine, Committee Counsel, and does not know why J. Sourwine had been questioned by FBI as to whether he had been given classified information by Otepka.

Enc.

① - 65-68266 (Otto F. Otepka)
1 - 161-1715 [redacted]
1 - 140-2277 [redacted]
1 - Mr. Mohr
1 - Crime Records Division
1 - Domestic Intelligence Division
1 - Mr. Wacks, Room 613 RB
1 - Mrs. Whalen, Room 634 RB

1 - General Investigative Division
1 - Liaison Section

RHE:pjh (15)

65-68266-
NOT RECORDED
170 AUG 13 1963

ORIGINAL FILED IN

Memorandum to Mr. Evans
RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

[] was questioned concerning security clearance granted Seymour Janow (Assistant Administrator of Agency for International Development [AID], who testified in executive session before this Subcommittee 7-23-63). [] said security clearance of Janow should have been responsibility of Office of Security at State which was not done. [] testified that Fowler Hamilton, then Director of AID, and Dungan (Ralph A. Dungan, Special Assistant to the President) recommended Janow be cleared for appointment. Subcommittee requested additional information from State on Janow case.

[] was asked if he thought William Wieland should be entitled to a security clearance to which [] answered that if President of the United States said Wieland was all right, he was not about to question that. (Wieland was subject of extensive investigation by Bureau and President Kennedy in news conference on 1-24-62 said Wieland cleared by State)

[] testified that on 7-19-63 he had signed a memo reaffirming Wieland's clearance but recalled memo as [] conferred with Reilly and learned all information that was to be evaluated in that case had not been evaluated. [] related Attorney General has ruled facts in Wieland case do not warrant prosecution.

ACTION:

This memorandum should be routed to the Nationalities Intelligence Section of the Domestic Intelligence Division for its information in connection with the investigation of Otto F. Otepka.

The General Investigative Division is being furnished a copy of this memorandum in view of its pending Conflict of Interest case on Seymour Janow.

1 - Weeks

Mr. J. Walter Yeagley
Assistant Attorney General

August 2, 1963

Director, FBI

REC 22 65-68266-11

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to your letter dated July 10, 1963, in which you requested that this Bureau conduct an investigation of the subject.

On July 25, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, advised that his suspicions regarding the subject's furnishing information to the Senate Internal Security Subcommittee (SISS) began during July, 1962, at the time Reilly and Otepka attended a meeting in the Office of Under Secretary of State George W. Ball during which the possibility of appointing Archibald McLeish to a position in the Department of State was discussed. A few days later Mr. Jay Sourwine, Chief Counsel, SISS, commented to Reilly that he understood that McLeish was being considered for an appointment. Reilly contacted Otepka who denied furnishing the information to Sourwine. Reilly noted that during his appearances before the SISS he was asked many questions regarding the procedures for clearing people for positions in the International Organization Affairs Plan. It became apparent to Reilly that the questions were not hypothetical but actually were based on documentary cases in the files of the Office of Security at the Department of State. In view of these circumstances in addition to material he recovered from the trash in the subject's office, Reilly felt there was strong evidence that Otepka furnished either oral or documentary information to the SISS. Reilly also stated that with the exception of FBI material the information believed to have been illegally furnished the SISS by Otepka would have been furnished the SISS by the Department of State on request through normal channels.

MAILED 27
AUG 2 - 1963
COMM-FBI

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[redacted] secretary to the subject from [redacted] was interviewed on July 26, 1963, and on July 29, 1963. She denied knowing that subject [redacted]

JFW:klw! jwa
(4)

SEE NOTE PAGE 2

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MAIL ROOM ☐ TELETYPE UNIT ☐

Mr. J. Walter Yeagley
Assistant Attorney General

furnished any documents or information to unauthorized individuals or persons connected with Congressional committees. She identified material relating to Reilly's testimony as that which was contained in numerous pages of handwritten material which the subject gave her for typing with instructions that she expedite the completion of this assignment. She also recalled reproducing three pages of an FBI report on Harlan Cleveland at the request of the subject.

Mr. John R. Norpel, Jr., who is at present assigned to the Washington, D. C., Field Office, Department of State, but who formerly worked under Otepka, was interviewed on July 30, 1963. He denied any knowledge of subject's furnishing classified information or documents to unauthorized individuals including personnel of Congressional committees. He advised that on one or two occasions the subject stated to him that Reilly had made vicious comments about him (Otepka) and that he had to defend himself. Norpel could not furnish any information with respect to this statement. Norpel pointed out that several weeks ago he had heard rumors that the subject was suspected of furnishing documents to a Congressional committee and that an investigation had been started. He advised that this investigation was being conducted by a private organization in Washington, D. C., whose identity he did not know. He declined to identify his source for this rumor but stated that the investigation was on personnel of the Department of State and allegedly involved physical surveillances of Department of State personnel and included wire tapping. He advised he had no information to support this rumor. Norpel also stated that on approximately July 5, 1963, he was contacted by Otepka, who asked him if he could ascertain whether the FBI was investigating him. Norpel stated he declined to do this. Norpel said that he then asked Otepka whether he had ever furnished any information or documents to individuals on a Congressional committee and Otepka replied that he had not done so.

We are continuing investigation in this matter and you will be furnished the results thereof.

NOTE: Otepka, Chief, Division of Evaluations, Office of Security, Department of State, according to Reilly, has been feeding information re security practices at State to Sourwine, the purpose being to undermine Reilly apparently in an effort to obtain his job. Department requested that we institute investigation to determine if violations of the espionage or theft of Government property statutes were involved.

The Attorney General

August 16, 1963

Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach
1 - Sullivan
1 - Wannall
1 - Wacks

Reference is made to my letter dated July 1, 1963, in which it was indicated that on June 20, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, had advised that information had come to his attention that the subject, Chief, Division of Evaluations, Office of Security, Department of State, was furnishing information regarding security practices in the Department of State to Mr. Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS). By letter dated July 10, 1963, Assistant Attorney General J. Walter Yeagley requested investigation in this matter.

Interviews were conducted with individuals at the Department of State who logically could be expected to furnish pertinent information concerning the allegations in this case; however, no proof was developed that Otepka did furnish information from the files of the Department of State to Sourwine. On August 14, 1963, Otepka was interviewed. He advised that he had known Sourwine since 1954 and that he had testified before the SISS during March and April, 1963, in the Subcommittee's hearings on security practices at the Department of State. Otepka stated that subsequent thereto Reilly testified before the SISS and, thereafter, Sourwine told the subject that there were contradictions in the testimonies of Reilly and the subject. Otepka said that he then prepared an extensive rebuttal of Reilly's testimony which he furnished to Sourwine. According to Otepka, he furnished to Sourwine along with this rebuttal document at least five documents all of which originated at the Department of State and two of which were classified "Confidential." Otepka denied that he had given any FBI documents or portions thereof to Sourwine. On August 15, 1963, Otepka dictated a statement incorporating his admissions and he advised that he would decide on August 16, 1963, whether he would sign this statement.

65-68266

JFW:vms

139(12)

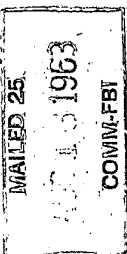
SEE NOTE ON PAGE 2

9 AUG 19 1963

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65-68266-13

19 AUG 19 1963

AUG 16 3 28 PM '63

E O I

The Attorney General

You will be furnished additional pertinent information obtained in our continuing investigation in this case.

1 - The Deputy Attorney General

**1 - Mr. J. Walter Yeagley
Assistant Attorney General**

**NOTE: See memorandum WRWannall to WCSullivan prepared
8/16/63 by JFW:klp with instant caption.**

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach
1 - Sullivan
1 - Liaison
1 - Wannall 1 - Wacks

August 16, 1963

BY LIAISON

Honorable Dean Rusk
The Secretary of State
Washington, D. C.

Dear Mr. Rusk:

There is enclosed a memorandum setting forth the results of an investigation conducted by this Bureau subsequent to our receiving information to the effect that Mr. Otto F. Otepka, Chief, Division of Evaluations, Office of Security, Department of State, was furnishing information from Department of State files to Mr. Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee. You will note that Mr. Otepka has admitted that he actually did give Mr. Sourwine classified and unclassified documents originating in the Department of State.

We are continuing investigation in this matter and additional pertinent developments will be brought to your attention.

REC-23

Sincerely yours,

19 AUG 19 1963

Enclosure

ENCLOSURE

JFW:klw
(10)

NOTE:

See cover memorandum W. R. Wannall to C. Sullivan, same date, captioned "Otto F. Otepka, Espionage - X," prepared by JFW:klp.

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MAIL ROOM ☐ TELETYPE UNIT ☐

1 - Belmont
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1 - Evans 1 - Liaison
1 - DeLoach 1 - Wannall
1 - Sullivan 1 - Wacks
August 16, 1963

BY LIAISON

OTTO F. OTEPKA

On June 20, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, advised this Bureau that information had come to his attention that the subject, Chief, Division of Evaluations, Office of Security, Department of State, was furnishing information, classified and unclassified, regarding security practices at the Department of State to Mr. Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS). At the request of Assistant Attorney General J. Walter Yeagley, Internal Security Division, Department of Justice, we instituted an investigation to ascertain if the subject was in violation of the espionage and/or the theft of Government property statutes.

The following Department of State individuals were interviewed and all advised that they possessed no proof that subject had actually furnished documents to unauthorized persons including personnel of Congressional committees:

- (1) Mr. Reilly, mentioned above;
- (2) [redacted] subject's secretary;
- (3) Mr. John R. Norpel, Jr., Washington Field Office;
- (4) [redacted] Division of Evaluations;
- (5) [redacted] Division of Evaluations;
- (6) [redacted], Legislative Officer, Congressional Relations;

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JFW:klw
(10)

SEE NOTE PAGE 2

65-68266-14
ENCLOSURE

MAIL ROOM ☐ TELETYPE UNIT ☐

OTTO F. OTEPKA

- (7) [redacted] Security Officer and Executive Director, U. S. Arms Control and Disarmament Agency;
- (8) [redacted] Washington Field Office;
- (9) [redacted] Training Officer, Office of Security;
- (10) [redacted] former Deputy Under Secretary of State for Administration;
- (11) [redacted] Special Assistant for Personnel Security, Office of Security.

An interview was also conducted with Mr. Sourwine, mentioned above, who denied receiving any Department of State documents from Mr. Otepka.

On August 14, 1963, subject was interviewed. He advised that he had known Mr. Sourwine since 1954 and had testified before the SISS during March and April, 1963, in the Subcommittee's hearings on security practices at the Department of State. Mr. Otepka stated that thereafter Mr. Reilly testified before the Subcommittee and subsequently Mr. Sourwine told subject that there were contradictions in the testimonies of Mr. Reilly and the subject. Subject said that he prepared an extensive rebuttal of Mr. Reilly's testimony which he furnished to Mr. Sourwine. Mr. Otepka said that in support of his rebuttal document he furnished at least five documents to Mr. Sourwine, all of which originated at Department of State and two of which were classified "Confidential." Mr. Otepka denied that he furnished any FBI documents or portions thereof to Mr. Sourwine. On August 15, 1963, Mr. Otepka incorporated his admissions in a statement and he advised that he would decide on August 16, 1963, whether he would sign the statement.

NOTE:

Original being furnished Honorable Dean Rusk, State, by Liaison.

See cover memorandum W. R. Wannall to W. C. Sullivan, same date, captioned "Otto F. Otepka, Espionage - X," prepared JFW:klp.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

F B I

Date: 8/7/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESP - X
(OO:WFO)

ReWFO airtel 7/31/63.

Section, U. S. Department of State (USDS), interviewed 8/1/63. Neither individual able to furnish any information indicating subject had furnished information or documents, classified or unclassified, to unauthorized individuals including personnel of congressional committees.

Section, U. S. Department of State (USDS), interviewed 8/1/63. [redacted] knew of no instances of subject furnishing information or documents to members of staff of Senate Subcommittee on Internal Security. However, during examination of USDS personnel appearing as witnesses before committee he has noted that subject is afforded substantially more consideration than other USDS personnel. JAY SOURWINE, Chief Counsel, and [redacted] Chief Investigator for committee have been most cordial in meeting subject before and after testimony. [redacted] stated it was obvious that the staff of the committee is receiving information through other than official channels, because of the nature of the questioning, indicating knowledge of content of USDS documents. Although he was without evidence, [redacted] believed subject may possibly be furnishing information to committee.

ENCLOSURE

3 - Bureau (Enc. 1)

REC-38

ENCLOSURE ATTACHED

RCB:skn

(3)

AIRTEL

2 AUG 21 1963

Approved:

Special Agent in Charge

Sent

M

Per

C. C. Wick

2 AUG 16 1963

MEMO W.R. WANNALL TO W.E. SULLIVAN (ENC)

SPW; RWD 8/9/63

AIRTEL SAC WFO 8/10/63

JFW Rew 8/12/63

WFO 65-9038

[] Security Officer and Executive Director, U. S. Arms Control and Disarmament Agency, interviewed 8/2/63 at his request. ADAMS has known subject for 13 years. He had no information regarding subject furnishing documents to unauthorized individuals including congressional committees. However, subject, since 1959, has had a substantial personality change and appears obsessed with the idea that people are trying to undermine him and remove him from his position.

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b7C

[] Secretary to []
[] who occupies space in same area as []
[] Secretary to subject, advised that she has no knowledge of subject furnishing documents or information to congressional committees. She believed she has received one or two calls from JAY SOURWINE for subject. Nature of calls unknown. Also believed [] had received a call from SOURWINE for subject on at least one occasion. [] stated [] maintained a log of incoming telephone calls in a stenographic notebook maintained in her file cabinet.

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b7C

[] Training Officer, Security Office, USDS, has had only limited contact with subject as he has been primarily assigned abroad. [] had no information that subject furnished any documents or information to unauthorized individuals. About 7/28 or 29/63, [] met subject in the halls of USDS. [] expressed regret at subject's present difficulty and suggested that he cooperate with his superiors. Subject responded that sometimes when procedures were not being properly carried out, someone had to go to a "higher authority." [] drew the inference that subject had gone outside USDS regarding this matter. Subject referred to fact that he had been under subpoena and had answered questions truthfully, apparently referring to appearances before Senate Subcommittee on Internal Security.

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b7C

[] former Deputy Undersecretary, Office of Assistant Secretary (Administration), USDS, from January, 1961, to June, 1962, and at present Special Assistant to the Director, Bureau of the Budget, interviewed 8/6/63. [] stated he had no evidence subject had furnished information or documents to Senate Subcommittee on Internal Security. However, during period [] was with USDS, he

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WFO 65-9038

appeared as a witness before committee on one or two occasions and also had occasion to review testimony of certain USDS witnesses who appeared before committee. It was apparent to [] that committee was in possession of information regarding matters being considered internally at USDS at that time. [] suspected that subject was source.

On 8/6/63, [] Special Assistant for Personnel Security, Security Office, USDS, advised that the file cabinet of [] had been examined and a stenographic notebook had been recovered. The following notations, apparently indicating telephone calls to subject, were located in this notebook: December 19, 1961 - "SOURWINE." Another notation was located and is quoted as follows: "No mention of April 12 SOURWINE." Another undated page in the notebook contained the notation "SOURWINE C180 64308." [] stated that efforts to locate a more current stenographic notebook of [] had been negative. During this contact with [] he noted that a copy of the current issue of "The National Review," dated August 13, 1963, had been called to his attention on this date by his secretary. He noted that references to activity in the Security Office, USDS, were contained in a column entitled "From Washington Straight," authored by "CATO." For the information of the Bureau, a copy of this column is enclosed with this communication.

WFO is reinterviewing [] in an effort to resolve discrepancies in information she furnished during previous interview. This interview will conclude the interviews with logical personnel at USDS. Accordingly, Bureau authority is requested to interview subject. It is noted that information developed during this investigation, particularly that received from USDS, has indicated that subject has been in possession of Executive Session testimony of Mr. JOHN F. REILLY, Deputy Assistant Secretary for Security. There is no indication that this testimony was made available to subject through normal channels. The trash cover results obtained by USDS on subject's office indicates that subject reviewed REILLY's testimony and that he prepared a rebuttal by him of some points in REILLY's testimony. Supporting these points subject apparently included attachments or exhibits which were apparently made available to SOURWINE. Accordingly, it is suggested that subject be interviewed at the earliest opportunity.

HANDLED BY
SEPARATE
MEMO
JC

ENCLOSURE TO BUREAU (1)

Copy of column entitled "From
Washington Straight" authored
by "CATO" from "The National
Review" dated August 13, 1963.

OTTO F. OTEPKA
ESP - X

(OO:WFO) WFO file 65-9038

By airtel dated 8/7/63.

ENCLOSURE

ENCLOSURE

65-68214-15

THE NATIONAL REVIEW, AUGUST 13, 1963

From Washington Straight

CATO

A major security scandal is expected to explode into the headlines in the near future. And right smack in the line of fire is the State Department.

Shortly after the Kennedy Administration took over, the State Department's Bureau of Security and Consular Affairs—once one of Washington's most efficient gumshoe agencies—underwent a series of reorganizations that left it in a mess. First, the Bureau was



Cato

placed under the charge of a political boss whose background—all other considerations aside—gave him none of the technical competences necessary for heading the security bureau of the highly sensitive State Department. After his rather hasty departure—which followed a public outcry against the appointment—the Administration reorganized the Bureau, reportedly along lines suggested by old Cuba hand, William Wieland. (Wieland, you may recall, was one of the Foreign Service Officers who helped sell Fidel Castro to the U.S. Government as a sort of Cuban Robin Hood despite reports on Castro's Communist associates and leanings by Ambassador Earl T. Smith and others.) Security was split off from Consular Affairs with the result that security in the Department came to be regarded as a formality—to be ignored when possible and evaded when not.

Security officers with long and excellent records found themselves getting "the treatment" from their superiors at State. Some were "rified" (reduction in force is when a man's job is abolished; it is one way to get rid of an employee without going through civil service firing procedures which are difficult). Others were given minor jobs from which they were almost certain to resign. The key men, who carried scores of security files around in their heads and could be "troublesome" if treat-

ed too shabbily, were sent abroad to soft jobs, there to await retirement age.

For the most part the "treatment" has worked. But security officers tend to be hard-nosed types whose devotion to their work arms them with a stubbornness seldom found in government employees. One such individual, a former top security official, whose present assignment is so laughable that one observer compared it to giving J. Edgar Hoover a job as "traffic cop," has recently had his security clearance lifted. This, in effect, classifies him as a security risk. In his case it is no longer a question of whether the axe is going to fall, only when it is going to fall.

Another security officer, still in his probationary period, along with several co-workers, filed an adverse report on a superior in the security division. The report dealt with this official's behavior during a trip abroad. The behavior? Four letter words employed about women in general (he didn't like women), public intoxication, public announcement of his affinity for Communism and socialism, and chumminess with a young person believed to be a Soviet agent. The report was filed with Washington and, so far as can be ascertained, nothing was done to investigate its accuracy.

But the young security agent lost his job on the basis of an "unsatisfactory performance rating" which his co-workers swear was unjustified. Later, when an outside security agency inspected the subject's security file, he found no adverse reports in the folder.

According to sources inside the Department the above case is not a rarity. One committee on Capitol Hill has almost the whole story in its files. It is due to be aired in the near future if Administration pressures to hush up the matter do not prevail.

Civil rights is about the hottest subject in the U.S. today. And from the press it would seem that the President's civil rights bill is popular with just about everybody except Southern segregationists and a cer-

tain ambitious Republican right-wing senator from a Western state.

A cursory check of congressional mail, however, tells a different story. Some congressional offices have little mail about the bill itself, though most report a substantial number of letters expressing fear of increasing violence—particularly during the August 28 March on Washington. Other offices, however, report heavy mail, most of which is against the coercive features of the President's bill. (These offices do not represent Southern constituencies. Southern mail, by and large, opposes the bill in its entirety.)

Several weeks ago it was rumored on the Hill that the President had made a deal on civil rights. Kennedy would make a public fight for the private property section of the bill, Southern Democrats would make headlines battling back and would win that fight. Whereupon Southern resistance would collapse and the rest of the bill would pass.

This deal is supposed to be still in effect, but there are doubts here about its chances of success. Hostile mail is having its effect on many congressmen. At this point it is safe to say that any outbreak of violence here on August 28 will kill the bill for this session.

At this writing, Senate approval of the nuclear test-ban treaty is in doubt. This situation, however, could change overnight. Most opposition to the treaty is being expressed privately because the senators don't know how their constituents feel about it. Moreover, the President made it clear that he is going to fight hard for Senate approval. His 25-minute radio-TV broadcast on August 26 was well calculated to whip up emotional fervor in favor of the treaty.

Many senators feel approval of the treaty will lead to Administration demands for other agreements with the Soviets that will require important concessions from the West. "This treaty is the first step on the road to Munich," one senator has said.

It is safe to say that evidence of popular support for the treaty will force the Senate to approve. Popular disapproval will kill it. The senators will be watching their mail with unusual interest in the crucial weeks ahead.

Domestic Intelligence Division

INFORMATIVE NOTE

Date August 15, 1963

Subject is chief, Division of Evaluations, Office of Security, Department of State. On 6/20/63, John F. Reilly, Deputy Assistant Secretary of State for Security, advised Bureau that subject, in effort to undermine him and obtain his job, had furnished State documents, classified and unclassified, to Jay Sourwine of Senate Internal Security Subcommittee. We investigated at request of Department.

Attorney General and State being furnished data in attached.

JFW:cwb

D

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

F B I

Date: 8/16/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038)

OTTO F. OTEPKA
ESP - X

ReWFOairtel 8/15/63.

Interview with subject completed this date at WFO. Subject, in addition to material described in re WFOairtel, furnished copies of additional documents furnished by him to SOURWINE. These consisted of three memoranda dated in April, 1962, originated by OTEPKA relating to the subject of "Reorganization" and which are unclassified. In addition, he furnished a seven page duplicated memorandum dated 1/16/63, from two individuals in U. S. Department of State (USDS), on the subject matter of personnel action pending in the Security Office, USDS. Subject stated that the only enclosures ~~which~~ furnished to SOURWINE which he was not able to produce, were three standard forms utilized by USDS with respect to final and temporary clearances. He noted that these forms are readily available in the Security Office at USDS. WFO will obtain copies of these forms for completion of this phase of the investigation.

Subject corrected and completed an eighteen page statement which he signed on its completion, a copy of which is enclosed for the Bureau.

ENCLOSURE

3-Bureau (ENC. 1)
1-WFORCB:ecs
(4)

AIRTEL

C. C. Wick

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

By w/a 8/20/63 WFO furnished 3 additional copies of 1 page statement signed by OTEPKA - given to SOURWINE by [unclear] 8/20/63

Letter to Raily @ State 8/21
Letter to [unclear] 8/21
EO 1.1 X JFW

12 AUG 19 1963

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12 AUG 19 1963
WFO

58 AUG 23 1963

WFO 65-9038

WFO is contacting USDS to definitely establish the origin of all documents which subject admits he furnished SOURWINE and will obtain a proper classification where appropriate, whether the classification is valid, and whether the documents may be declassified for prosecutive purposes. WFO will also attempt to establish any monetary value these documents may have.

Washington, D. C.
August 15, 1963

I, Otto F. Otepka, make the following voluntary statement to Carl E. Graham and Robert C. Byrnes, who have identified themselves as Special Agents of the Federal Bureau of Investigation. No threats or promises of any kind have been made to me to make this statement and I know it can be used against me in a court of law. I have been advised of my right to have legal counsel before making any statement whatsoever.

Mr. Byrnes informed me in general that the FBI was conducting an investigation with respect to myself concerning an allegation that had been received that I had furnished classified information to an unauthorized person. In the course of our discussion it was made known to me specifically that the alleged unauthorized person was the Chief Counsel of the United States Senate Committee on the Judiciary. His name is Julien G. Sourwine. I shall hereinafter for the purposes of this inquiry identify such documents which were furnished by me to the Chief Counsel of this Committee. It is important to me at the outset that it be known for the record that I am a member of the classified or competitive Civil Service and that I am now and have been a career member of that service for over 27 years.

65-68266-76
ENCLOSURE

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The circumstances in regard to which I am alleged to have furnished documents or information to the said Chief Counsel relate to an investigation which was being conducted by the Internal Security Subcommittee of the Committee of the Judiciary beginning in November, 1961. I ^{first} appeared before that Committee at its request and with the express permission of the Department ^{of State} together with two other members of the Bureau of Security and Consular Affairs, and I responded to the questions of its Chief Counsel frankly and truthfully to the best of my knowledge and ability. Subsequently I reappeared before that Subcommittee ^{once} in April, 1962, also at the Committee's request and with the permission of my superiors. Also appearing ^{at} ~~on~~ or about that time were my superiors. In November, 1962, the Committee publicly released the transcripts of my testimony and that of other Department of State personnel together with a report of the Committee containing the Committee's conclusions and recommendations with respect to the security practices and procedures of the Department ^{of State}.

Beginning in March, 1963, and during April, 1963, I appeared before the same Subcommittee in accordance with its request and with the knowledge of my superiors, for a total of four times. I was given to understand that the Committee was seeking to ascertain from the Department ^{of State}.

whether or not the Department of State had implemented the Committee's recommendations to improve certain security practices found by the Committee to be deficient. During May, 1963, my immediate superior, Mr. John F. ~~Reilly~~^{D.C.}, also testified before the Committee on three separate days. Prior to his appearance and at his own personal request I obtained from the Chief Counsel of the Committee, Mr. Sourwine, the stenographic transcripts of my testimony of March and April, 1963, and furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why.

Following the first appearance of Mr. Reilly, which I believe was on May 21, Mr. Reilly personally came to my office and informed me that Senator Thomas F. Dodd, the presiding chairman of the Subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the Subcommittee that I had voluntarily disqualified myself from the evaluation of the case of b6 b7C Mr. Reilly asked if I could "straighten out" Mr. Dodd on this matter. I said I did not know Mr. Dodd but were I to be again questioned by the Subcommittee I would be very happy to state for the record what had transpired between myself and Mr. Reilly when on a prior occasion he discussed with me at his request my future role in the re-evaluation of the Wieland case. I prepared for the record and have in my possession a memorandum indicating the exact nature of

my discussions with Mr. Reilly on any prior occasion concerning what function I should play as Chief of the Division of Evaluations in the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. Julien Sourwine, the Chief Counsel of the Subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23. Mr. Sourwine voluntarily informed me that there were contradictions in my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and upon doing so he said I should give him a memorandum that would answer point by point all of the instances in which I felt Mr. Reilly's testimony was inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits which I shall identify below, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly in my future appearance before the Committee which had already been made known to me.

At this point I would like to state for the record that what particularly concerned me in regard to

Mr. Reilly's testimony was that he made statements to the Subcommittee concerning my personal character and performance. As a knowledgeable and experienced career civil servant, I know that one's superior owes one primary duty especially to his subordinate. That is: if the subordinate's performance is or has been deficient that subordinate should first be so told by the superior. The superior should not derogate the employee's performance before a legislative body or any organization outside the employee's place of employment without fulfilling his first duty to his subordinate. Mr. Reilly never expressed to me his dissatisfaction with my performance nor did he ever let me know that he had anything but a favorable opinion concerning my character. However, neither Mr. Reilly nor his predecessor has given me an annual efficiency report as required by the Department's regulations since October, 1960, almost three years. Not only did I request such efficiency reports from Mr. Reilly but I succinctly informed his Executive Officer on several occasions that these reports were long overdue. Mr. Reilly, of course, is entitled to his explanations for this delinquency. The fact is I still do not have any efficiency reports for those three years. Furthermore, I wish this record to bear out that my whole history of performance in the Department of State reflects not only the most satisfactory comment by those officers who have rated me but that prior to my entering

on duty in the Department of State in June, 1953, I was the recipient for six successive years preceding my appointment to the Department of State of "Excellent" efficiency ratings. Such an adjective rating was the highest attainable.

In considering the request made to me by Mr. Sourwine to identify inaccuracies or untrue statements by Mr. Reilly, I was already cognizant of the following provision in Section 652, Title 5, of the United States Code. This is a law enacted by the United States Congress. It reads as follows:

"The right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress or any member thereof or to furnish information to either house of Congress or to any Committee or member thereof shall not be denied or interfered with."

It was my honest belief and conviction in the light of contradictions in the record of the Senate Internal Security Subcommittee that I should support my refutation of Mr. Reilly's statements concerning me with such necessary information as would establish that my own statements were truthful and accurate. I carefully observed in the transcript of Mr. Reilly's testimony that he had entered selected documents into the record relating to me.

The documents herein involved which were furnished by me to the Chief Counsel of the Senate Committee on the Judiciary as an appendage to my prepared written comments are as follows:

Exhibit 1

(1) This included ^{As} a memorandum dated January 27, 1963, for [redacted] from Harlan Cleveland, [redacted] subject of "Loyalty Investigations of United States Citizens Employed by International Organizations."

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(2) Routing slip dated February 4, 1963, of Department of State to Mr. Otepka from Mr. John F. Reilly on the subject of "Loyalty Investigations of United States Citizens Employed by International Organizations" with the notation "Would you look into this please and may I have your views by Feb. 8?"

(3) One page memorandum to Mr. Reilly from Mr. Otepka dated February 8, 1963.

Exhibit 2

(1) Thirty-two page document entitled "Staffing International Organizations, A Report of the Advisory Committee on Management Improvement to the Assistant Secretary of State for International Organization Affairs" dated March, 1963. A three page cover memorandum to this document is also attached and which bears the title of "Staffing International Organizations, Summary of Recommendations."

(2) Five page memorandum dated September 10, 1962, from Mr. Otepka to Mr. Reilly on the subject of

[redacted] [redacted] [redacted]
Marshall D. Shulman; [redacted] Ernest Gross; Harding
Bancroft; Sol Linowitz." This document bears a classification
of "Secret" but with a stamped notation at the bottom stating
that the document would be considered "Confidential" upon
removal of attachment. At the conclusion of the fifth page
there is a notation that ^{the op} attachments were "tabs A, B, C and
~~These~~ ^{were} ~~not~~ furnished to Sourwine. Attached to
this document at the conclusion is a one page memorandum
dated September 17, 1962, from Mr. Reilly to [redacted]
on the subject "Processing of Appointments of Members of
the Advisory Committee on International Organization Staffing"
classified "Confidential".

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Exhibit 3

(1) Thirty-six page document entitled "Staffing
International Organizations, A Report of the Advisory
Committee on International Organizations", published by
the Department of State, Washington, D. C., April 22,
1963, ^(a public document) Attached to this document are Appendices I and II
consisting of six pages.

(2) Routing slip from [redacted] to Otepka
dated May 13, 1963. Attached to this routing slip is a
one page memorandum dated May 6, 1963, to Mr. Reilly from
[redacted] on the subject "Staffing International

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Organizations - A Report of the Advisory Committee on

International Organizations"

(3) Undated routing slip from [] to Otepka.

Attached to this routing slip is a three page memorandum from Mr. John F. Reilly to [] on the subject "Processing of Appointments of Members of the Advisory Committee on International Organization Staffing." This three page memorandum bears a stamped security classification of "Confidential".

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(4) One page memorandum dated August 7, 1962, to [] to attention of [] with copy for Mr. Otepka, captioned "Request for Waiver, Advisory Committee on International Staffing: Ernest A. Gross, Marshall D. Shulman, [] Harding Bancroft, []

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[] This was a nonclassified memorandum with two attached routing slips; one dated September 13, 1962, from Otepka to Mr. Belisle and to Mr. Reilly. The other routing slip was from Belisle to Otepka, addressed to "Otto", dated September 11, 1962.

(5) One page memorandum dated May 14, 1963, to [] from Mr. Otepka. The memorandum indicates there is an attachment of "Report of the Advisory Committee on International Organizations."

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Exhibit 4

(1) Memorandum dated April 5, 1962, from Mr. Otepka to [redacted] on the subject "Reorganization" consisting of three pages.

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(2) Memorandum dated April 9, 1962, from Otepka to Boswell entitled "Reorganization."

(3) One page memorandum dated April 13, 1962, from Otepka to [redacted] on subject "Reorganization."

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Exhibit 5

(1) One page memorandum dated August 31, 1960, on subject "Use of Short Form Investigative Reports in Certain Applicant Cases" marked "Official Use Only."

(2) Two page memorandum dated June 15, 1960, to Mr. William O. Boswell from [redacted] on the subject "Proposal to Reduce Investigative Backlog" marked "Official Use Only."

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(3) Two page memorandum dated June 6, 1960, to Mr. [redacted] from Asa L. Evans on subject "Proposal to Reduce Investigative Backlog" marked "Official Use Only."

(4) Copy of Department of State investigative report dated May 27, 1960, at Chicago, Illinois, on "[redacted]" marked "Official Use Only."

(5) Two page Department of State investigative report dated May 27, 1960, on [redacted] marked "Official Use Only."

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(6) Two page Department of State investigative report May 27, 1962, at Chicago, on [redacted] marked "Official Use Only."

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(Items 4, 5 and 6 of Exhibit 5 are wholly favorable reports which were attached to the memorandum dated June 6, 1960, and were mentioned by the author of that memorandum as an example of extraneous long form reporting)

Exhibit 6

(1) Two page memorandum dated October 31, 1962, from Mr. Reilly to [redacted] Mr. Otto F. Otepka; and Mr. John T. Noonan, captioned "Change in Procedure for Preparation of Investigative Reports and Granting of Clearances." The bottom of this memorandum contains a date stamp of Office of Security, Division of Evaluations, November 1, 1962.

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Exhibit 7

(1) Seven page Multilith memorandum dated January 16, 1963, from [redacted] [redacted] on the subject "Urgent Personnel Actions Pending in SY."

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Exhibit 8

(1) One page memorandum dated May 3, 1962, from [redacted] to [redacted] on the subject of "Assignments to Advanced Career Training."

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Exhibit 9

(1) A letter dated May 16, 1962, to Mr. Otepka from [] Chief, Personnel Operations Division, Department of State, regarding the appointment of Mr. Otepka to the National War College

Exhibit 10

(1) Copy of a letter to Mr. Otepka dated June 1, 1962, from Lieutenant General Francis H. Griswold, Commandant of the National War College, Washington, D. C., congratulating him on his designation for attendance at the college.

Exhibit 11

- (1) Final Security Clearance Form (blue).
- (2) Notification of Emergency Interim Security Clearance 180 days. (yellow)
- (3) Notification of Emergency Security Clearance 90 days (white).

Exhibit 12

(1) Copy of a memorandum dated June 6, 1960, to [] from [] on the subject "Assignment of Charles W. Lyons to SY/E" marked "Limited Official Use".

(2) Copy of efficiency report of Carl L. Bock prepared by [], Deputy Chief, Division of Evaluations, covering period of November 10, 1960, to

September 30, 1961. This consists of a four page form number FS315 along with three pages of narrative comment.

(3) A three page memorandum dated March 30, 1962, from Otepka to William O. Boswell captioned "Charles W. Lyons, FSO-4, Chief, Personnel Security Branch, SY/E."

(4) Memorandum dated June 8, 1960, from [redacted] [redacted] captioned "Assignment of Charles W. Lyons to SY/E", bearing notation at bottom of memorandum "Limited Official Use".

(5) Memorandum dated June 1, 1962, from [redacted] [redacted] to Mr. Otepka captioned "FSO and FSR Efficiency Reports."

(6) Memorandum June 14, 1962, from Otepka to [redacted] captioned "Efficiency Report for Charles W. Lyons."

Exhibit 13

(1) Undated memorandum consisting of one page captioned "Emergency Security Clearances" bearing stamped notation "Official Use Only." To this was attached a routing slip addressed to [redacted]

Additionally to the above described documents, [redacted] showed me the following documents and requested my statement with respect to each as to whether I had furnished any such document to Mr. Sourwine. It was stated to me that some of the documents or purported documents

were found in a burn bag located in my office. For the record, this burn bag is not in my immediate office but is located in the reception room occupied by my secretary,

[redacted] In response to questions of [redacted]

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I hereby positively and unequivocally deny that I furnished any of the following documents to Mr. Sourwine or that I

furnished any such documents ^{As} to any person ~~who is not~~
except an employee of the Division of Evaluation of
~~authorized to have access to it~~ *in the Office of Security.*

One page memorandum dated May 20, 1963, from

Mr. Otepka to [redacted] relating to [redacted]

[redacted]

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One page memorandum dated December 5, 1961,

from [redacted] to Security Office file regarding

[redacted]

One page memorandum dated May 8, 1963, from

Harlan Cleveland to Mr. Reilly on the subject [redacted]

[redacted]

One page memorandum dated June 3, 1963, from

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[redacted] to Mr. William J. Crockett on subject

"Weekly Activities Report."

One page letter from [redacted] to Mr. Glenn

Wolfe, Director, Office of Cultural Presentations, Department of State.

Two page memorandum bearing caption "Enclosure for the Deputy Assistant Secretary for Security" and

containing in the upper right hand corner the notation
"RES Alexander Inspection, Rpt. Sept. 26 - Oct.
at Cairo."

Three page memorandum from [] to
[] on subject "Pan American Union, Security
Information Re Employees -- Request for Ascertaining Facts
and Evaluation."

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Three page memorandum bearing title "Procedure
for Reviewing and Disposing of Adverse Information on
Employees of International Organizations Dealing with
Inter-American Affairs."

One page memorandum bearing title of "Evaluations
of Adverse Information of Certain Employees of International
Organizations Dealing with Inter-American Matters."

Two page memorandum dated May 3, 1963, from John
Noonan to [] on subject "Security Meeting."

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Two page memorandum dated May 23, 1963, from
[] and [] to Mr. Otto F. Otepka
on subject "Evaluative Services to ARA and OIA."

Four page memorandum for []
of the White House dated January 28, 1963, over signature
of the Executive Secretary of the Department of State,

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[], on the subject "The President's
Inquiry Concerning Communists on the Staff of International
Organizations Dealing with Inter-American Affairs."

One page of FBI report on Harlan Cleveland
prepared by Special Agent William H. Atkinson at Washington,
D.C.

I have not furnished any FBI report or portions
thereof to Mr. Sourwine.

I have never at any time committed, nor shall I
ever commit any offense knowingly injurious to my country.

I am an American. I was born an American. I will
live an American. I shall die an American. No man can suffer
too much and no man can fall too soon, if he suffer or if he
fall in the defense of the liberties and constitution of his
country. To me, loyalty to the highest moral principles and
to my country are paramount. They shall always be above
loyalty to any party, to any person or to any government
department. However, I believe I have not and I will not
knowingly violate any public trust. In carrying out my
assigned duties I feel that I have always respected and
carried out the commands of my superiors.

It is my desire that this matter be judged by
prudent men only on the basis of the whole record of my
Federal service and the testimony I have given, and others
have given, with respect to the incidents alleged. I sincerely
always have believed that he who has truth on his side is a fool
and a coward if he fails to own it because of other men's
opinions.

In regard to the allegation that I furnished classified data to an unauthorized person, it is an established fact that the Senate Committee on the Judiciary and its Internal Security Subcommittee is empowered to investigate and legislate to assure that there is adequate protection at all times of the internal security of the United States. It is also known that the Senators who comprise the Committee, together with its Chief Counsel, are loyal and patriotic Americans who have many times been entrusted with data relating to the defense of the United States and the operations of the Department. These are men of unimpeachable trustworthiness whose authority to have access to classified information of the United States Government truly cannot be questioned. It seems they must have such access to legislate. Furthermore the Committee affords protection to information obtained by its proceedings and to its witnesses by conducting its proceedings in Executive (closed) sessions. The Committee itself classifies the written record of its Executive sessions. I have been informed that information obtained in Executive sessions is not released without agreement of the full committee and the executive department involved is consulted before any decision is reached.

I have testified in Executive sessions and the information I furnished was given only in direct relationship to my testimony. The whole record of my statements was classified by the Committee as "Confidential". I have not

10-1

in any sense ignored that classification. I am at a loss to understand therefore as to who is the "unauthorized person." I would find it incredible to believe that the Chief Counsel of the United States Senate Committee on the Judiciary is such a person within the purview of some law that I am alleged to have violated.

I have read this statement ^{consisting of eighteen of} which, except for the first paragraph and this last paragraph, was dictated by me. It is true and correct to the best of my recollection. I have initialed each page and all corrections and sign my name below.

Otto F. Otepka

Witness:

Robert C. Byrnes, Special Agent, FBI, Washington, DC
8/16/63
Carl E. Graham, Special Agent, FBI, Wash. D.C.
8/16/63

F B I

Date: 3/14/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	✓
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038)

OTTO F. OTERKA
EXPIONAGE - X*Wamp**ny 8*b6
b7c

Subject interviewed this date. He stated he first met JAY SOURWINE of Senate Subcommittee on Internal Security in 1954 when he accompanied the late [redacted] to Committee hearing. He had no further contact with SOURWINE until November, 1961, when he appeared as witness before Subcommittee. He again appeared before Subcommittee in April, 1962. During March and April, 1963, he again appeared before Subcommittee. Shortly after this last appearance his superior, Assistant Secretary of State for Security, JOHN F. REILLY, was scheduled to appear as witness before Subcommittee. REILLY requested subject to obtain his, subject's, executive session testimony so that REILLY might review it. Subject complied with this request, obtaining his previous testimony from SOURWINE. According to subject, REILLY appeared before Subcommittee on about three or four occasions approximately the middle of May, 1963. Following his testimony, subject received telephone call from SOURWINE and at the request of SOURWINE, subject proceeded to his office on that same date. SOURWINE informed subject that there was much contradiction in the testimony of REILLY and that of subject. SOURWINE at that time and on one or two occasions shortly thereafter furnished the transcripts of REILLY's testimony to subject for his review and comments. Subject prepared an extensive rebuttal to the testimony of REILLY which was typed in rough draft form by his secretary, [redacted]. Two copies of this rebuttal were prepared, one being retained by subject and the other being furnished to SOURWINE. In support

③ - Bureau
1 - WFO

RCB:kls
(4) C. C. Wick

EX 104

REC-11

65-68266-174

12 AUG 19 1963

AIRTELApproved: *Allen J. Glick*
Special Agent in Charge

Sent _____ M Per _____

53 AUG 1963

WFO 65-9038

of his rebuttal, subject furnished several documents to SOURWINE. During interview, subject identified five documents which were furnished to SOURWINE as attachments to the rebuttal. All documents originated in USDS. One of these documents is classified "Confidential" and one is classified "Secret" but with the marking that it should be downgraded to "Confidential" on removal of attachments. Subject denied that the attachments were furnished to SOURWINE. Subject denied having furnished any FBI documents or portions thereof or any other documents from any agency other than Department of State.

Subject agreed to return to WFO on 8/15/63, for continuation of interview. He agreed to preparation of written statement indicating that he would withhold his decision as to signing same inasmuch as he might desire to have legal counsel.

cc: MR. SULLIVAN.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

F B I

Date: 8/15/63

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESP - X

ReWFOairtel 8/14/63.

Interview of subject continued this date. Subject permitted copies to be made of entire rebuttal memorandum prepared by him and furnished to SOURWINE. He also furnished what copies he had available of attachments to above memorandum which are all USDS documents relating to USDS personnel, security procedures involving evaluation and clearance and personnel action of USDS personnel. Subject did not have in his possession three of the exhibits attached to the memorandum which he furnished SOURWINE but will make these available 8/16/63. No additional classified documents included in the additional material furnished by subject this date.

Subject dictated extensive statement regarding this matter which is presently being transcribed. Subject agreed to return WFO morning of 8/16/63, for review of statement and will then consider signing same. In view of fact that most of USDS documents available to WFO at this time are reproduced copies, WFO will attempt to locate original documents and determine proper security classification. Bureau will be promptly advised of further developments.

③ - Bureau
1 - WFO

RCB:kls
(4)

AIRTEL

REC-11

EX 104

12 AUG 19 1963

57 AUG 23 1963

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : *W.C.S.*
W. C. Sullivan

FROM : *W.R.W.*
W. R. Wannall

SUBJECT: *O*
OTTO F. OTEPKA
ESPIONAGE - X

DATE: **8-16-63**

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach
1 - Sullivan
1 - Wannall
1 - Wacks

1. Reilly
Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Wannall

Attorney General and Secretary of State Rusk are being advised that subject has admitted furnishing classified and unclassified Department of State documents to Jay Sourwine of the Senate Internal Security Subcommittee (SISS).

On 6-20-63 Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, advised the Bureau that, as a result of his testimony before the SISS during the Spring of 1963, he became convinced that someone at State was feeding information to the SISS. He indicated that his prime suspect was Otepka; therefore, he had placed a cover on the classified trash in subject's office. Otepka was and is Chief, Division of Evaluations, Office of Security, State, and Reilly is his superior. Sourwine, when interviewed by the Bureau, denied the allegations. We therefore interviewed all individuals at State other than Otepka, who logically could furnish information of assistance; however, this did not develop any proof of subject's furnishing information to Sourwine.

On 8-14 and 15-63 subject was interviewed. He advised he had known Sourwine since 1954 and had testified before the SISS during March and April, 1963, in the Subcommittee's hearings as to the security practices at State. Otepka stated that thereafter Reilly testified before the Subcommittee; that subsequently Sourwine told subject that there were contradictions in the testimonies of Reilly and the subject; and, accordingly, subject prepared an extensive rebuttal of Reilly's testimony which he furnished to Sourwine. Otepka said that in support of his rebuttal document he furnished at least five documents to Sourwine, all of which originated at State and two of which were classified "Confidential." Otepka denied that he furnished any FBI documents or portions thereof to Sourwine. Subject agreed to return to the Washington Field Office on 8-16-63 at which time he will advise whether he will sign the statement he dictated on 8-15-63.

Enclosures *sent 8-16-63*

REC-101

65-68266-19

65-68266

5 sent 8-23

JFW:klp
(8)

AUG 21 1963

SECRETARY-DIRECTOR

SENT DIRECTOR
8-16-63

62 AUG 26 1963

Memorandum W. R. Wannall
to W. C. Sullivan
RE: OTTO F. OTEPKA
65-68266

OBSERVATIONS:

Washington Field Office will contact State to ascertain whether the classified documents will be declassified in the event of prosecution. Subsequent to this action we will ascertain from the Department whether an interview with Sourwine is desired, it being noted that, as a result of Otepka's admissions, Sourwine was in unauthorized possession of classified documents.

ACTION:

There are enclosed for approval letters to the Attorney General and Secretary of State Dean Rusk, furnishing a summary of the results of the interview with Otepka.

[Handwritten signatures: J. P., Sullivan, J., and V. K. EAC]

[Handwritten signature: J. P.]

- Wacks

Mr. J. Walter Yeagley
Assistant Attorney General

August 21, 1963

Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to this Bureau's letter dated August 16, 1963, in which it was pointed out that the subject had admitted furnishing Department of State documents, classified and unclassified, to the Senate Internal Security Subcommittee.

There is enclosed for your information a copy of the signed statement furnished this Bureau by the subject on August 15, 1963. For your additional information, Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, on August 19, 1963, advised that he planned to prepare charges against the subject for the subject's furnishing documents to the afore-mentioned Subcommittee without Department of State approval.

You will be furnished additional pertinent developments in this case.

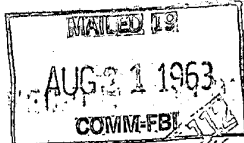
Enclosure

65-68266

JFW:vms
(4)

NOTE: Subject is Chief, Division of Evaluations, Office of Security, State. We are at present determining whether the classified documents involved can be declassified in the event of prosecution. Subsequent to obtaining this information we plan to present the case to the Department for a prosecutive opinion.

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Tele. Room _____
Holmes _____
Gandy _____



- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Warren
- 1 - Mr. Young
- 1 - Mr. Egan

Mr. Evans

August 14, 1963

W. V. Cleveland

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Classified by SP7 mac/etc

Declassify on: OADR 6/4/84

SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

John F. Reilly, Deputy Assistant Secretary of State for Security, testified before this Subcommittee in executive session 8-6-63. Copy of transcript attached. Accompanied by John S. Leahy, Jr., Congressional Liaison Officer, State Department.

Reilly said it had originally been proposed to transfer Otto F. Otepka to National War College and Reilly informed Otepka he "would have to fill in behind him (Otepka) in the Division of Evaluations" but did not tell Otepka there would be a place held for him in the Office of Security. Reilly testified he had been orally instructed by William J. Crockett, Deputy Under Secretary for Administration at State, not to answer certain questions about Otepka because of the FBI investigation being conducted concerning Otepka. Reilly said he caused the investigation of Otepka to be undertaken. (Otepka being investigated by Bureau pursuant to request of Department of Justice to ascertain if there are violations of espionage and theft of Government property statutes.)

Otepka still retains title of Chief, Division of Evaluations but is not functioning in that capacity according to Reilly. Reilly advised he had changed Otepka's locks and instructed employees of Division of Evaluations not to furnish Otepka any information. Reilly said Otepka will never again be Chief of Division of Evaluations while Reilly holds his present position. Reilly continued he has not as yet preferred formal charges against Otepka.

Reilly admitted he had examined Otepka's safe on a Saturday. At present time Otepka can get access to classified information only through Reilly. Otepka has been detailed to update the Office of Security Manual.

Enc.

1 - 65-68266 (Otto F. Otepka)

1 - 161-2102

1 - 140-27864

1 - 140-22779

1 - Crime Records Division

1 - Domestic Intelligence Division

1 - Liaison Section

1 - Mr. Tolson, Room 613 RB

1 - Mr. Malone, Room 634 RB

RHE:pjh (16)

b6
b7C

65-68266-
NOT RECORDED
170 AUG 22 1963

~~CONFIDENTIAL~~

Memorandum to Mr. Evans

RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

~~CONFIDENTIAL~~

Reilly said Ostepka has not as yet received his delinquent efficiency reports. (Ostepka testified before Subcommittee 2-21-63 he has not received efficiency reports since 11-66.) Reilly said no listening device had been installed in Ostepka's office. Committee Counsel said there is "clear issue here on which we will have to take the testimony of other State Department employees."

Reilly said organization of the Advisory Committee on International Organizations and selection of appointees to that Committee constituted matter of primary concern to Assistant Secretary Harlan Cleveland.

(C) Reilly asked if in granting clearance to Abba Schwartz consideration given to his admitted association with espionage agents of a foreign nation to which he answered he did not recall such information. (Bureau investigation of Schwartz reveals Schwartz reported to have been in contact with individuals [redacted] in United States. Schwartz claims these contacts open and legitimate.)

Reilly did not recall whether his office handles clearances of employees on staff of United States Delegation to the United Nations. He was then specifically asked if he is familiar with case on Frank Montero and Reilly said he is. Montero, according to Reilly, was being considered for employment on Adlai Stevenson's staff and inquiry concerning the case made by administrative officer to Stevenson. (Frank Carlo Montero investigated this year under Federal Employee Security Program as applicant for position of Special Assistant for Mission Services, United States Mission to the United Nations. Investigation revealed he indicated preference for American Labor Party when registering to vote in 1943-44; in 1947 reported to have been part of group calling upon Congress to reject unconstitutional proposal to outlaw Communist Party. Montero informed State Department he is opposed to communism but has always been a liberal thinker.)

Reilly said while on his vacation [redacted] his assistant, reaffirmed clearance of [redacted] but this was contrary to Reilly's instructions and reaffirmance withdrawn. Reilly said [redacted] case being reviewed in Division of Evaluations at present time.

ACTION: This memorandum should be routed to the Nationalities Intelligence Section of the Domestic Intelligence Division in connection with its investigation of Otto F. Ostepka.

~~CONFIDENTIAL~~

1 - Liaison
1 - Wacks

gm
(NI) 65-68266

BY LIAISON

Date: August 21, 1963

To: Mr. John F. Reilly
Deputy Assistant Secretary for Security
Department of State
Washington 25, D. C.

From: John Edgar Hoover, Director

Subject: OTTO F. OTEPKA
ESPIONAGE - X

*8/22/63
delivered
OHB*

Pursuant to your request there is enclosed a copy of the signed statement furnished this Bureau on August 15, 1963, by the subject. There is also enclosed for your information a copy of a memorandum dated August 16, 1963, setting forth results of investigation in this case. A copy of this memorandum was furnished to Secretary of State Dean Rusk by letter dated August 16, 1963.

You will be furnished additional pertinent developments in this case.

Enclosures - 2

JFW:vms
(5)

REC-26
65-68266-21
AUG 22 1963

NOTE: Subject is Chief, Division of Evaluations, Office of Security, Department of State. He has admitted furnishing classified documents belonging to State to Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee. On 8/19/63 Reilly advised Liaison Agent O. H. Bartlett that he was preparing charges against subject and in connection therewith would appreciate receipt of a copy of the signed statement furnished the Bureau by the subject.

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Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

57 AUG 27 1963

MAIL ROOM ☐ TELETYPE UNIT ☐

WAC 31 3 03 PM '63

8/12/63

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach
1 - Sullivan
1 - Wannall
1 - Wacks

Airtel

To: SAC, WFO (65-9038)
From: Director, FBI (65-68266) *22*

OTTO F. OTEPKA
ESPIONAGE - X

REC 31
EX-103

Wannall

Reurairtel 8/7/63.

Authorization is granted for interview with subject subsequent to your reinterview with [redacted] This interview should be conducted in accordance with previously issued Bureau instructions pertaining to interviews with subjects of security cases and the results should be submitted in form suitable for dissemination. In the interview endeavor to ascertain if subject has been in violation of either the espionage statutes or the theft of Government property statutes or both in his relations with personnel of the Senate Internal Security Subcommittee or any other unauthorized individuals. Particularly ascertain what use, if any, he made of the Bureau report involved in this case. During interview determine whether Otepká would be willing to undergo a polygraph examination concerning this matter. However, it is not desired that a polygraph examination be afforded to him at this time. On receipt of results of the interview Bureau will consider desirability of reinterview using polygraph.

b6
b7c

JFW:klw
(10)

NOTE:

See cover memorandum W. R. Wannall to W. C. Sullivan, dated 8/9/63, same caption, prepared by JFW:klw.

Clear by memo before authorizing

Tolson _____
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MAILED 30
AUG 12 1963
COMM-FBI

MAIL ROOM ☐ TELETYPE UNIT ☒

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan

DATE: 8/9/63

FROM : W. R. Wannall *W R Wannall*SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X1 - Belmont
1 - Mohr1 - Evans
1 - DeLoach
1 - Sullivan
1 - Wannall
1 - Wacks

Tolson	_____
Belmont	_____
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Cooper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

Washington Field Office (WFO) is being instructed to interview subject.

On 6/20/63 Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, advised the Bureau that as a result of his testimony before the Senate Internal Security Subcommittee (SISS) during the Spring of 1963 (which indicated someone in the Office of Security at State was feeding information to the SISS) and his coverage of subject's office classified trash, he had concluded that subject, Chief, Division of Evaluations, Office of Security, Department of State, was furnishing classified data including a classified Bureau report to Jay Sourwine, Chief Counsel of the SISS.

We interviewed Sourwine and Senator James O. Eastland (D - Mississippi) on 6/28/63 and they denied the allegations made by Reilly. By letter 7/1/63 we furnished the Attorney General pertinent information concerning this matter and advised we were taking no action in the absence of a request from the Department. (In this regard we recognized that this was an intra-State squabble and potentially a highly explosive political situation in which prosecution was remote.) On 7/10/63, however, Assistant Attorney General J. Walter Yeagley requested we institute investigation pointing out that possible violations of the espionage and theft of Government property statutes were indicated.

We have interviewed all individuals, other than Otepka, who logically could furnish information of assistance; however, our investigation has not developed any proof of subject's furnishing information to Sourwine or members of any Congressional committee. The persons close to Reilly suspect Otepka of doing this but they cannot support their suspicions with facts. Those close to Otepka categorically deny knowledge that he engaged in such practice. We plan to reinterview subject's former secretary who when previously contacted advised she knew of no contacts between subject and

Enclosure

65-68266

JFW:klw *klw*
(8)

REC 31

EX-103

12 AUG 23 1963

Memorandum Mr. Wannall to Mr. Sullivan
Re: OTTO F. OTEPKA
65-68266

Sourwine; however, perusal of her stenographic notebooks discloses notations indicating possible telephone calls to the subject from Sourwine. WFO has suggested an interview with Otepka following the interview with his former secretary.

OBSERVATIONS:

In order to resolve this matter it will be necessary to interview the subject. An interview with the subject is a logical investigative step and probably expected by Otepka, who is aware of the Bureau's investigation. In this regard it is noted that Assistant Attorney General Yeagley in his letter did not request such action; however, on 7/2/63 Executive Assistant to the Attorney General Andrew Oehmann advised Assistant Director Evans that the Attorney General had inquired as to whether Otepka was going to be questioned and expressed the opinion that Otepka should be willing to take a lie detector test. During interview we will ask the subject whether he would be willing to undertake a polygraph examination and on receipt of results of interview we will consider desirability of reinterview with polygraph.

ACTION:

If approved, the enclosed airtel to WFO will be sent instructing WFO to interview Otepka subsequent to the interview with subject's former secretary. Assistant Attorney General Yeagley is being furnished summary of investigative results to date separately and is being advised that Otepka will be interviewed.

Wet
JF
JF
JF

Mr. Evans

8-13-64

W. V. Cleveland

1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

PURPOSE - To advise that Senate Internal Security Subcommittee continued hearings in executive session 8-6-64 at which following State Department personnel testified:

[redacted];
[redacted] Copy of transcript
attached. Accompanied by [redacted] State Department observer

[redacted] who began his employment at State 8-1-63, is Special Assistant to Deputy Administrator of Bureau of Security and Consular Affairs (SCA) and deals principally with passport matters in advisory capacity. Said he reported to [redacted] has left State), [redacted] and [redacted]

Handles replies to Congressional inquiries concerning passport matters. Said it generally takes about five days for State to reply to Congressional inquiry. Was asked about delay in answering Congressional inquiries and it was pointed out to him it sometimes takes more than month to get reply from State. Specific reference made by Subcommittee to inquiry from Senator Pastore (D.-R.I.) concerning [redacted] which was originally made 7-9-63 followed up by Senator Pastore 8-7-63 and answered by State about ten days after the 8-7-63 letter. [redacted] asked to furnish Subcommittee additional facts concerning delay in handling this letter. J. Sourwine (Committee Counsel) pointed out reply to this letter had been promptly drafted by Passport Office but reply delayed in SCA.

[redacted] asked about delay in revising Foreign Affairs Manual and Sourwine pointed out Subcommittee had received information that office of [redacted] was furnished certain proposed revisions in 1-63, 3-63 and 1-64 and as of 4-64 none of the revisions made. [redacted] said he held meetings with Passport Office on these revisions and feels he has made his contribution and "the thing is out of my hands."

[redacted] - Testified concerning advice being given State employees prior to their testimony before Subcommittee. [redacted] said certain press articles indicated State employees might lose their jobs because of their testimony but [redacted] said they should not have such fears. Sourwine pointed out that Otto F. Otenka had gotten into great deal of trouble because of his testimony. [redacted] said State

- Enc.
① - 65-68266 (Otto F. Otenka)
1 - Crime Records Division
1 - Domestic Intelligence Division
1 - Nationalities Intelligence Section
1 - Internal Security Section

- 1 - Research-Satellite Section
1 - Liaison Section

145-8066
NOT RECORDED
145 SEP 3 1964

70 SEP 11

RHE:RJB (12)

Memorandum to Mr. Evans
Re: Senate Internal Security Subcommittee
State Department Security

employees are told to be as helpful as possible to Subcommittee, be responsive and tell the truth. State employees in briefing told not to discuss merits of Otepka case pending outcome of Otepka's hearing but Otepka may discuss merits of his case.

[] - Since [] has been Special Assistant to Deputy Under Secretary of State, William J. Crockett. [] had been regular Army officer for about [] years. He was brought to State as consultant to work with [] on review of security procedures mainly in Office of Security. Reports covering survey filed with Crockett and Subcommittee has requested copy of these reports. During survey attempt made to interview Otepka but Otepka declined to answer questions as he felt they had direct bearing on his case. Otepka willing to answer these questions when his case adjudicated. State requested to furnish Subcommittee memorandum covering questioning of Otepka.

[] - Entered on duty at State [] and is Assistant Director for Personnel Security and Acting Director in view of illness of Marvin Gentile. Said Office of Security 14 men short at present time. He detailed two men from field to do evaluation work: [] is Chief of Division of Investigations but in view of his absence [] was Acting Chief. Daley now assisting [] and [] currently Acting Chief of Division of Investigations. [] said Office of Security has been in state of flux due to personnel changes.

ACTION - This memorandum and its attachment should be routed to the Nationalities Intelligence Section for its information concerning Otto F. Otepka.

Any additional pertinent information in connection with this matter will be called to your attention.

Mr. Evans

8/12/64

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

PURPOSE - To advise that Senate Internal Security Subcommittee continued hearings in executive session 7/29/64 when following State Department personnel testified: [redacted]

[redacted] Accompanied by Richard A. Frank of State. Copy of transcript attached.

[redacted] testified he is Executive Secretary to Personnel Panel and to Advisory and Review Board at State reporting directly to William J. Crockett, Deputy Under Secretary for Administration. He has looked over some of files involved in review and updating of security files of top level security personnel at State which were presented to Panel. He understood there was group working on list of cases Otto F. Otepka had and list found when Otepka transferred, but project stopped. State still concerned with cases involving homosexuality but does not know if there has been increase or decrease in such cases. In 3/64 special board set up at State to furnish advisory recommendation in [redacted] case composed of [redacted] former Ambassador William Siebold and Brigadier General Milton Summerfelt. In 3/64, board completed its work and submitted advisory opinion. [redacted] said he knew what advisory recommendation was but could not tell Subcommittee. In his briefing at State, [redacted] told not to discuss information from files in security cases and not to discuss merits of Otepka case.

[redacted] said he was Assistant Secretary of State for Congressional Relations until 7/25/64 and had control of most of Congressional correspondence at State. He was shown letter he wrote to Committee dated 11/4/63 in answer to question whether Secretary of State personally approved clearance of [redacted] in Fall of 1961. In that letter reference was made to previous testimony in 3/62 of [redacted] then Deputy Under Secretary of State, to effect Secretary reviewed case and orally indicated to [redacted] he concurred in clearance of Wieland. When Secretary of State testified before Subcommittee, he said he would have to look at record. Dutton did not communicate with Secretary with regard to answer furnished Subcommittee in letter of 11/4/63.

Enc.

NOT RECORDED

- 1 - Crime Records Division 145 SEP 3 1964 ① - 65-68266 (Otto F. Otepka)
1 - Domestic Intelligence Division 1 - 161-2101 [redacted]
1 - Nationalities Intelligence Section 1 - Mr. Belmont
1 - Research-Satellite Section 1 - Mr. Evans
1 - Liaison Section 1 - Mr. Cleveland
1 - 140-22779 [redacted] 1 - Mr. Egan

CONTINUED - OVER

Memorandum Cleveland to Evans
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE

[] questioned concerning plan [] submitted for reorganization of Bureau of Security and Consular Affairs (SCA) and shift in personnel to get rid of Frances Knight (Director, Passport Office). [] admitted he received number of telephone calls and letters from [] expressing concern over and protesting [] plan. [] admitted there were difficulties between Administrator of SCA, and Frances Knight.

[] testified he is assigned to Foreign Service Institute studying Spanish. He has been with Government 30 years and Security Officer 15 years. He entered on duty at State 7/30/61 on transfer from Defense Department at request of Otepka. One of his jobs was to correlate information relating to high ranking officers at State and particularly presidential appointees. This project abandoned about six months after he entered on duty at State as someone at State did not want project and it was rumored Otepka was to be reduced in force. It was found about 20% of cases examined needed reevaluation. [] said review indicated individuals concerned were or might be security risks.

After [] originally cleared, case reopened for re-evaluation. [] instructed by [] to rewrite re-evaluation using only new information which [] thought was not proper technique.

[] attention called to article in 3/4/64 issue of "The Washington Post" reporting that task force at State then scrutinizing security files of 175 employees. [] assumed this was being done outside of Office of Security and he heard report that David Belisle was "heading it up." He said his group had been asked to do a quick review for [] who were conducting survey at State) on group of names which they thought might be in this category but were taken off project very quickly because "word came out" that another group had been on this project. [] added Otepka might have been responsible for this list of 175 names.

ACTION:

Any additional pertinent information in connection with this matter will be called to your attention.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN WASHINGTON FIELD	DATE 8/23/63	INVESTIGATIVE PERIOD 7/22/63 - 8/21/63
TITLE OF CASE OTTO F. OTEPKA		REPORT MADE BY ROBERT C. BYRNES	TYPED BY eaf
		CHARACTER OF CASE ESPIONAGE - X	

REFERENCES

Buairtels 7/17/63 and 8/12/63.

- P -

ADMINISTRATIVE DATA

On 8/19/63, JOHN F. REILLY, Deputy Assistant Secretary for Security, USDS, advised that Secretary of State DEAN RUSK had directed a letter to Senator DODD, Acting Chairman of Senate Subcommittee, requesting an opportunity to personally appear before Subcommittee before any additional USDS personnel were called as witnesses - further, that RUSK desired the opportunity of reviewing transcripts of testimony of subject be furnished him for review before he was to appear.

Bureau airtel 8/12/63, authorized WFO to interview subject and also requested that WFO determine if subject would consent to a polygraph examination. As reflected

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ⑤ - Bureau 3 - Washington Field (65-9038) <i>1 copy White House 4-7-69 RHE</i>		65-68266-23	REC-31
		17 AUG 26 1963	EX 104
Dissemination Record of Attached Report		Notations	
Agency	State (Reilly) by Liaison		
Request Recd.	8-27-63 JAW/mvy		
Date Fwd.	150 AUG 30 1963		
How Fwd.			
By			

COVER PAGE

WFO 65-9038

in the investigative report, subject, during interview, was cooperative furnishing a signed statement wherein he admitted furnishing material from USDS files to J. G. SOURWINE of the Senate Subcommittee on Internal Security. Subject denied furnishing FBI reports or parts thereof. It is noted that Bureau officials have also questioned SOURWINE and Senator EASTLAND both of whom denied having received any FBI reports or parts thereof. In view of the cooperative attitude of subject, it appeared to interviewing Agents that it would be highly undesirable to possibly incur his hostility by inquiring whether he would submit to a polygraph examination. In view of these circumstances and inasmuch as subject, during interview, commented on several occasions of the humiliating treatment afforded him by his superiors at USDS, it was not deemed advisable to inquire whether subject would consent to such an examination. If the Bureau still desires that such an inquiry be made, subject will be recontacted for this purpose.

During the initial interview of Deputy Assistant Secretary JOHN F. REILLY, there were several additional USDS officials present, including [redacted] Legal Adviser, [redacted] Special Assistant to the Legal Adviser, [redacted] Assistant Special Agent in Charge of the Washington Field Office, Security Office, and intermittently [redacted] Special Assistant for Personnel Security. During this initial contact with Mr. REILLY, he included the name of an individual who might possibly be in a position to furnish information, [redacted] who is presently assigned abroad, but who was in Washington, D. C., at the present time. Subsequently, both [redacted] and Mr. REILLY observed that neither had any specific reason to believe that [redacted] was in possession of any significant information relative to this investigation inasmuch as he has been assigned abroad for the past two or three years and would only have had contact with OTEPKA during home leave periods. Accordingly, [redacted] has not been interviewed during this investigation, and WFO will not conduct this interview.

b6
b7c

WFO 65-9038

Copies of the documents subject produced during interview which he admitted giving to SOURWINE were furnished to Deputy Assistant Secretary of State REILLY on 8/19/63, with the request that he determine whether the material was part of official USDS files, whether it was classified, and the validity of the classification, and whether the classified material could be declassified for prosecution.

LEADS

WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C. (1) Will report the results of the review of material by USDS, which was furnished by subject to SOURWINE of Senate Subcommittee, to determine if the material is from the official files of USDS, whether it is classified, and if so if the classification is valid within the meaning of Executive Order 10501, and whether the document may be declassified for prosecutive purposes.

(2) On completion of the above lead, will request the Bureau to obtain a prosecutive opinion from the Justice Department.

This report is classified "CONFIDENTIAL" because of references to FBI and USDS documents bearing a similar classification.

No!
WFO
adv.
8/28
JW

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: ROBERT C. BYRNES
Date: 8/23/63

Office: Washington, D. C.

Field Office File #: 65-9038

Bureau File #:

Title: OTTO F. OTEPKA

Character: ESPIONAGE - X

Synopsis:

[redacted] U. S. Department of State (USDS), furnished results of trash cover conducted on office of subject from 3/18/63, to 6/18/63. Cover developed information that classification on some memoranda was removed; also that reproduced copies of some documents appeared identical to attachments referred to in notes contained on one time typewriter ribbon. JOHN F. REILLY, Deputy Assistant Secretary for Security, and [redacted] Special Assistant for Personnel Security, USDS, advised of basis for suspecting subject was engaged in furnishing information to Senate Subcommittee. Questions of Subcommittee Staff indicated knowledge of USDS internal documents. Trash cover on subject's office indicated contacts with SOURWINE and that documents were being furnished him by subject.

[redacted] Secretary to subject from 1953 to present, identified information contained on one time typewriter ribbon as material she had copied at instruction of subject and which related to testimony of JOHN F. REILLY. She denied knowledge of any documents being furnished individuals outside USDS. [redacted] another Secretary in office of subject, recalled receiving one or two telephone calls from SOURWINE to subject and that [redacted] maintained log of incoming and outgoing telephone calls. Interviews with [redacted]

[redacted] and [redacted] failed to develop information indicating subject furnishing documents or information to Senate Subcommittee on Internal Security. [redacted] recalled delivering transcript of testimony on one occasion to SOURWINE on instructions of subject. [redacted] Legislative Officer, advised that he had no

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information subject furnished information to Senate Subcommittee Staff but that there were indications that Subcommittee had access to information regarding matters under consideration in USDS. [redacted] Special Assistant to Director, Bureau of the Budget, advised of incidents during 1961 which caused him to suspect that subject was furnishing information to Senate Subcommittee on Internal Security, although he had no evidence to support his suspicion. [redacted] who preceded subject as Chief of Evaluations Division, USDS, had no information subject furnished documents or information to unauthorized persons but stated subject established reputation in past two years for being stubborn and egotistical and that since 1959 he has observed personality change in subject. Subject interviewed and furnished signed statement admitting he had furnished SOURWINE of Senate Subcommittee on Internal Security a 39-page memoranda in rebuttal of testimony of his superior, JOHN F. REILLY, who had appeared as witness before Subcommittee. Accompanying this memoranda were 13 exhibits involving numerous USDS documents supporting his rebuttal, some of which were classified. Subject denied furnishing any FBI documents or portions thereof. Reproduced copies of documents furnished by subject obtained.

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RCB:skc

DETAILS: AT WASHINGTON, D.C.

On June 20, 1963, Mr. JOHN F. REILLY, Deputy Assistant Secretary of Security, advised that information had come to his attention that OTTO F. OTEPKA, Chief, Division of Evaluation, Office of Security, United States Department of State (USDS), had been furnishing information regarding security practices in the Department of State to Mr. J. G. SOURWINE, Chief Counsel, De. Senate Internal Subcommittee. According to Mr. REILLY, OTEPKA has been attempting to undermine him apparently in an effort to obtain his job.

Mr. REILLY stated that he had arranged coverage of the confidential trash from OTEPKA's office and through this means he had developed information indicating that documents from the files of the Department of State have been given to SOURWINE. He based this conclusion on the fact that the trash has included copies of various documents with the headings and classifications excised. Mr. REILLY advised that Mr. OTEPKA's trash has included copies of questions which OTEPKA apparently supplied to SOURWINE for use in questioning REILLY during the latter's appearance before the Senate Internal Security Subcommittee.

Mr. REILLY also stated that on June 18, 1963, a check of the subject's trash revealed a cover sheet from an FBI report concerning HARLAN CLEVELAND who is currently serving as Assistant Secretary of State for International Organization Affairs. REILLY stated that a copy of this FBI report which consisted of more than 100 pages is contained in the files of the Department of State and it appeared OTEPKA had reproduced this report and after removing the cover sheet had furnished the copy to SOURWINE.

The cover sheet of the above report identified by Mr. REILLY is a copy of the first page of the report of SA WILLIAM H. ATKINSON dated May 11, 1953, at Washington, D.C., entitled "~~HARLAN CLEVELAND~~, aka JAMES HARLAN ~~CLEVELAND~~; MISCELLANEOUS- De. INFORMATION CONCERNING (ESP)." This report which sets out detailed background information and the results of a FBI investigation of CLEVELAND was prepared as the result of a

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request from the Economic Cooperation Administration (ECA) which advised that CLEVELAND, then an official of the ECA, had sponsored or been connected with eleven applicants for ECA employment who were denied employment on security grounds. This report is classified "Security Information - Confidential."

By letter dated July 10, 1963, Mr. J. WALTER YEAGLEY, Assistant Attorney General, Internal Security Division, Department of Justice, advised that in addition to the above information which was furnished to the Department of Justice that his office received a letter on July 8, 1963, from Mr. WILLIAM CROCKETT, Deputy Undersecretary of State for Administration, requesting that an appropriate investigation of subject be initiated concerning a leak of classified information and the mishandling of information from the security files of the Department of State. Mr. CROCKETT noted that a preliminary investigation had reflected that OTEPKA had thermofaxed a FBI report and other classified documents. The Department of State had also furnished the Justice Department with copies of typewritten notes which had been transcribed from a one time typewriter ribbon found in the classified trash of OTEPKA. On page three of this material the following quotation was set out "Belisle eliminated that part of OTEPKA's memorandum containing statements about the background of the individuals, and prepared his own, another memorandum to I. O. about the procedural problems showing only himself [] as the drafting officer but using OTEPKA's almost exact words (Copies of pertinent memorandum attached, Ex. 3)."

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The Justice Department advised that [] had advised that the memorandum from which the above was quoted bears a security classification of "Confidential." Mr. YEAGLEY requested that investigation in this matter be initiated by the FBI.

Date July 26, 1963

[redacted] Assistant Special Agent in Charge, Washington Field Office, Office of Security, United States Department of State (USDS), advised that in accordance with instructions of Mr. John F. Reilly, Deputy Assistant Secretary for Security, USDS, he participated in coverage of confidential trash originating in the office of Mr. Otto F. Otepka, Chief, Evaluations Section, Security Office, Room 3333, USDS. This coverage was initiated on March 18, 1963. Shea stated that Otepka occupied a private office and that his secretary, [redacted] was immediately adjacent to this office. Also in the same immediate area was [redacted]
[redacted]
[redacted]

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At varying intervals of three to five days, [redacted] would tell [redacted] she was taking her classified trash to the depository in Room 3412, USDS. Schmelzer would ask [redacted] if she wanted her to take the confidential "burn bag." In each instance [redacted] accepted this offer. [redacted] would observe [redacted] removing the Otepka "burn bag" and would then telephone Joseph E. Rosetti, Chief, Division of Domestic Operations, USDS. [redacted] would then proceed to the classified trash room, Room 3412, after leaving the office of Otepka and while en route to Room 3412, would place a red X mark on the classified trash removed from the office of Otepka. A few moments later, Rosetti would enter Room 3412 and recover the Otepka trash bag which was marked with the red X marking. The material was then taken to the office of Mr. Reilly where it was reviewed by [redacted]

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[redacted] Any material of a significant nature was then furnished to Mr. John F. Reilly, who has maintained custody of all such material since the time of its recovery. Shea

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by SACs CARL E. GRAHAM
and ROBERT C. BYRNES RCB:rmb Date dictated 7/26/63

stated that significant material was recovered through this coverage on the following dates: March 19, April 2, May 9, May 29, June 10 and June 18. Some of this material has been identified as classified and some is unclassified but is sensitive in nature.

[] also noted that some of the recovered material was reproduced on a Thermofax machine, one of which is maintained in the immediate office of Otepka. He observed that normally reproduced work is performed on a Xerox machine which is distinctive from the type copies obtained from the Thermofax reproductions. [] stated that appropriate markings to identify recovered material had been made on each of the documents.

With regard to the classified material recovered during the trash coverage in the office of Otepka, [] furnished the following information:

1. On June 18, 1963, two copies of the synopsis page of an FBI report were recovered. These apparently were Thermofax copies and were somewhat smudged. The title of the FBI report was Harlan Cleveland, aka James Harlan Cleveland, and was prepared at the Washington Field Office of the FBI by SA William H. Atkinson, reflecting a period of investigation from February through April, 1953. This report was classified "Security Information-Confidential."

2. On June 18, there was recovered from the trash a portion cut from two pages containing the word "Confidential." Another portion contains the marking "Confidential" and on the right-hand side "the FBI." A fourth portion of a page contains the following typed data: "Enclosures: 'Problems of Communists on Staffs of International Organizations Dealing With Inter-American Affairs.' ARA/RPA:cnmonsma/md/1/23/63." Also contained was a typed notice "Clearance: IOA - [] ARA - [] SY - Mr. Reilly."

[] furnished a copy of a document, which was identified from the marking recovered, as a memorandum for Mr. McGeorge Bundy, the White House, dated January 28, 1963, on the subject "The President's Inquiry Concerning Communists on the Staffs of International Organizations Dealing With Inter-American Affairs." The cover memorandum was signed by

[] Attached to this cover page, which is classified "Confidential," is a three-page confidential memorandum bearing the same title as the cover page.

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3. On June 18, 1963, portions of pages were recovered as follows: the top of a memorandum from [] and [] to Mr. Otto F. Otepka dated May 23, 1963, on the subject "SY - Evaluative Services to ARA and OIA." A portion of a page containing the typed classification "Confidential" with the number "- 2 -" underneath; a portion of a page bearing the typed information "Group 3 Downgraded at 12 year intervals; not automatically declassified" and the typed classification "Confidential" and on the right-hand side is "/source;" a portion cut from a page with the typed word "Attachments:" Classified "Confidential."

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[] has identified the original communication from which the above portions were cut which is a memorandum bearing the same title as indicated above, consisting of two pages dated May 23, 1963, which is classified "Confidential."

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4. On June 18, 1963, the top portion of a page was recovered with the classification of "Confidential" and with the typed words "SY - [] SY/EX - John Noonan Security Meeting May 3, 1963." A bottom portion of a page was also recovered bearing the stamp "Confidential" and the typed marking "Group 3 Downgraded at 12 year intervals; not automatically declassified." At the right edge of the page were the typed words "evaluative processing."

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[] identified the above as being portions of a two-page memorandum classified "Confidential" dated May 2, 1963, to [] from Mr. John Noonan.

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5. On June 18, 1963, a one-page memorandum was recovered bearing a classification of "Confidential" on the subject of "Evaluation of Adverse Information on Certain Employees of International Organizations Dealing With Inter-American Matters." At the bottom of this memorandum are the markings AHA/RPA:JH Barta:pat and the date 6/6/63.

6. On June 18, 1963, the top portions of three pages were recovered. One of these has the typed classification of "Confidential," another the marking "-2-" and "Confidential" and another "-3-" and "Confidential." Also recovered were the bottoms of three pages which had the markings "Confidential", "Downgraded at 12 year intervals; not automatically declassified" and at the right corner the typed words "make action." Another portion of a page had only the typed word "Confidential." Another had the markings "ARA/RPA:JPBarta: jyv 5/20/63" and the typed word "Confidential."

From the markings on the portions recovered, it was determined that the portions were cut from a three page memorandum classified "Confidential" bearing the title "Procedure for Reviewing and Disposing of Adverse Information on Employees of International Organizations Dealing With Inter-American Affairs."

7. [] furnished a one page memorandum dated September 17, 1962, from John F. Reilly to []. [] classified "Confidential," and which was prepared by []. While this document was not recovered, the transcribed material reproduced from a one-time typewriter ribbon indicating questions for Mr. Reilly, contains a reference to this memorandum and indicating that it is an attachment to the questions.

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8. On June 18, 1963, several portions of torn pages were recovered. When reconstructed, it was determined that this was a Xerox copy of a three-page memorandum classified "Secret." [] advised that this was apparently a poor copy and was thrown away because of its being illegible. The original document has been located and identified as a two-page memorandum dated June 19, 1961, classified "Secret" from [] ARA, to [] OIA on the subject "Pan American Union, Security Information re Employees -- Request for Ascertaining Facts and Evaluation."

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9. On May 29, 1963, two somewhat illegible Xerox copies of a memorandum from John F. Reilly to [redacted] were recovered. This memorandum is undated and in its recovered condition did not show a classification. Shea noted that this memorandum was originally prepared by Otepka but because of alleged verbosity, it was rewritten by [redacted] and is the basis for the memorandum prepared by him, which is listed as Number 7 above and which is classified "Confidential."

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Date 8/1/63

[redacted] Special Assistant for Personnel D.C.
Security, Office of Security, United States Department of State
(USDS), was interviewed at his office, USDS. [redacted] stated
that he assisted in the review of the classified trash
recovered from the office of OTTO OTEPKA from March 13, 1963
until the time that Mr. OTEPKA was detailed to another assignment.
[redacted] stated that he felt the following individuals
might possibly be in a position to furnish additional information
regarding the contacts of Mr. OTEPKA, and possibly information
having been furnished to unauthorized individuals.

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1. [redacted] who has been Secretary to
Mr. OTEPKA for a number of years and who he considered was very
loyal to OTEPKA.

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2. JACK NORPEL, who was assigned to the Evaluations
Branch under OTEPKA from the time he was first employed at
USDS. NORPEL, in the opinion of [redacted] is very close D.C.
to OTEPKA.

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3. [redacted] also assigned to the Evaluations
Branch under OTEPKA. [redacted] has apparently been very loyal
to OTEPKA and frequently had lunch with him.

4. [redacted] Evaluations Branch.

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5. [redacted] Evaluations Branch.

[redacted] stated that he felt all of these individuals
because of their employment under Mr. OTEPKA might be in a
position to furnish information regarding the activities of
OTEPKA.

With regard to [redacted] who was named in the
above group, [redacted] stated that [redacted] is presently assigned
to the New Orleans field office of the Security Office, USDS.
Prior to his departure on this assignment, [redacted] had a brief
interview with him. During this interview, [redacted] commented that
he understood that he was accused of leaking information to a
congressional committee. [redacted] denied that he had ever been

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On 7/23/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM & ROBERT C. BYRNES Date dictated 7/30/63

RCB:dfn

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implicated in such activity. He stated that on one occasion he had picked up a telephone directory on Capitol Hill and on another occasion he had obtained some testimony for Mr. JOHN F. REILLY, Deputy Assistant Secretary for Security, USDS.

[] stated that Mr. REILLY, to his knowledge, had obtained a transcript of his own personal testimony before the Senate Subcommittee on Internal Security on one occasion. After having possession of this transcript for possibly one day the Congressional Liaison Office of USDS requested and received the return of this transcript. Other than this instance, [] was not aware that the executive session testimony of Mr. REILLY was ever in the possession of USDS personnel.

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[] stated that on July 5, 1963, Mr. OTEPKA was detailed to another assignment involving the revision of a training manual of USDS. On that same date, [] visited the office of OTEPKA and obtained certain material which was contained in his personal safe type cabinet. The combinations on all safes in the office of Mr. OTEPKA were also changed on that same date. [] stated that an FBI report as well as complete material contained in a file regarding Assistant Secretary of State, HARLAN CLEVELAND, was obtained from the office of OTEPKA on this occasion. [] noted that it had previously been determined on June 19, 1963 that the HARLAN CLEVELAND file of the State Department was in the office of OTEPKA and had apparently been in his possession for nearly one year.

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With regard to the testimony of Mr. REILLY before the Senate Subcommittee on Internal Security, [] noted that Mr. REILLY had informed him that numerous hypothetical problems involving clearance of State Department personnel were posed to him while testifying. Mr. REILLY recognized the facts in the hypothetical questions as being identified with specific cases then being considered for action in the Security Office. Both at the time of his appearance before the Committee and thereafter when he returned to his office at the State Department, Mr. REILLY determined that the facts in the hypothetical cases corresponded to identical facts which were documented in the files of the Security Office. Primarily, these cases involved individuals who were being considered for

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appointment to the Advisory Committee on the Arts which Committee is being handled as a function within the office of Mr. HARLAN CLEVELAND, Assistant Secretary, International Organization Affairs.

[] also noted that normally documents reproduced in USDS are reproduced by a Xerox process. However, due to the volume of reproductions which were considered necessary in the office of Mr. OTEPKA, a Thermofax machine was placed within the office of OTEPKA to expedite such reproductions. These reproductions would normally be handled by the secretarial staff within each office.

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Date 8/2 /63

Mr. JOHN F. ~~REILLY~~, Deputy Assistant Secretary for Security, United States Department of State (USDS), advised that he had appeared before the Senate Subcommittee on Internal Security on April 25, 30, and May 21, 22, and 23, 1963. During these appearances he was interrogated with respect to procedures regarding personnel security clearances for various individuals connected with the Bureau of International Affairs, USDS, and also regarding the Advisory Committee on the Arts. The latter committee functions under the Office of Assistant Secretary of State HARLAN CLEVELAND. During his appearances before the Subcommittee, Mr. REILLY was interrogated as to whether CLEVELAND was responsible for the selection of individuals for appointments on the Advisory Committee for the Arts. Mr. REILLY responded that Mr. CLEVELAND was responsible for his particular area in the Department of State. A member of the Senate Subcommittee commented that possibly Mr. CLEVELAND should be brought before the committee for interrogation. D.C.

Mr. REILLY stated that his suspicions regarding the leaking of information to the Senate Subcommittee Staff by OTEPKA started in about July, 1962. At that time Mr. REILLY and OTEPKA attended a meeting in the Office of Assistant Secretary of State GEORGE BALL. During this meeting the possibility was discussed of the appointment of ARCHIBALD MC LEISH to a position in USDS. Only six persons were present at this meeting. About two or three days later Mr. REILLY met Mr. J. SOURWINE, Chief Counsel of the Senate Subcommittee Staff. During this brief contact, SOURWINE observed that he understood that MC LEISH was being considered for appointment in USDS. Later on the same day, REILLY mentioned this to OTEPKA and inquired whether OTEPKA was aware of the source of SOURWINE for this information. OTEPKA replied that SOURWINE had many sources in the Government. REILLY advised OTEPKA that it had better not be him, OTEPKA, who was the source.

Continuing, Mr. REILLY noted that during his appearances before the Subcommittee he was asked several questions which allegedly were of a hypothetical nature regarding procedures for clearing individuals for positions

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by SAs CARL E. GRAHAM and
ROBERT C. BYRNES RCB:eaf Date dictated 8/1/63

in the International Organization Affairs Branch. The hypothetical questions did not involve names but presented certain information concerning a unnamed individual or individuals. It became apparent to Mr. REILLY that these were not hypothetical questions but were actually documentary cases contained in the files of the Security Office. As a result of this interrogation and in view of other information available, Mr. REILLY caused a trash cover to be placed in effect on the material removed from the office of OTEPKA. The results of this trash cover have been furnished by other individuals in the Security Office during this investigation. Because of the results obtained and because of the references to documentary cases described above, Mr. REILLY felt there was considerable evidence that OTEPKA had furnished information and documents to the Senate Subcommittee Staff. He also noted that in view of the results of the trash cover, it was apparent that OTEPKA had been in possession of his, REILLY's, executive session testimony inasmuch as OTEPKA indicated further possible questions which might be posed to Mr. REILLY. Mr. REILLY noted that OTEPKA was not known to have legal access through normal channels to his executive session testimony.

Mr. REILLY advised that from the information developed by the USDS regarding OTEPKA's cooperation with the Subcommittee Staff, several documents had been referred to in the contents of a one time typewriter ribbon which was recovered through the classified trash. Mr. REILLY stated that in his opinion all documents referred to by OTEPKA as being attachments furnished to SOURWINE would have been legally furnished to the Senate Subcommittee through the regular channels of the Congressional Liaison Office, USDS, on request. The only exception would be any reports or portions thereof of FBI reports.

Mr. REILLY suggested that the following individuals who were cognizant of certain activities of OTEPKA could possibly be in a position to furnish information pertinent to this investigation:

ROGER JONES, formerly Deputy Assistant Secretary for Administration, USDS, and presently employed in the Office of the Director, Bureau of the Budget.

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[redacted] Evaluations Division,
Security Office, USDS.

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[redacted] Evaluations Division,
USDS.

JOHN S. LEAHY, Congressional Liaison Office,
USDS, who maintains contact with the Senate
Subcommittee on Internal Security.

Date 8/1/63

[redacted]
Washington, D. C. employed as a Secretary at the United States Department of State (USDS) was interviewed at the Washington Field Office of the FBI on [redacted]
[redacted] has been employed by the USDS since [redacted] and is presently in grade [redacted] she has been assigned to the Security Office and since [redacted] she [redacted] Mr. OTTO F. OTEPKA. Mrs. POWERS executed the following signed statement concerning her recollection of certain activities at USDS during recent months.

"Washington, D. C.
"July 29, 1963

"I, [redacted] make the following voluntary statement to CARL E. GRAHAM and ROBERT C. BYRNES who have identified themselves as Special Agents of the Federal Bureau of Investigation. No threats or promises of any kind have been made to me to make this statement and I know it can be used against me in a court of law. I have been advised of my right to have legal counsel before making any statement whatsoever.

"I am presently employed by the Department of State and have been so employed since [redacted] when I was detailed to the Washington Field Office of the State Department [redacted] of OTTO F. OTEPKA.

"During this interview I have reviewed forty pages of typed material generally relating to testimony of Mr. JOHN F. REILLY and containing observations of Mr. OTEPKA. At the conclusion of this narrative memorandum I have seen my initials, that is e.b.p., which indicates to me that I typed this material.

On 7/26 & 29/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM & ROBERT C. BYRNES Date dictated 7/30/63
RCB:dfn

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

A date of May 27, 1963 is also included at the end of the document. It is my recollection that on Monday, May 27, 1963, Mr. OTEPKA [redacted]

[redacted] on long yellow lined paper, which contained this material. Mr. OTEPKA told [redacted]

this finished on that same day. [redacted]

[redacted] I completed this assignment and returned the typed rough draft and the handwritten notes to Mr. OTEPKA at the end of the day. I do not know where OTEPKA obtained the material contained in this document.

"On approximately [redacted] Mr. OTEPKA handed me an FBI report bearing a title of HARLAN CLEVELAND. This was a voluminous report. Mr. OTEPKA had three pages of the report marked with paper clips. [redacted]

which he had marked with the paper clips. This I did on the Thermofax reproduction machine in our immediate office. I actually made two reproduced copies of these three pages, throwing away the copy that was least easy to read. I do not recall the classification of this report and I do not know what Mr. OTEPKA did with the reproduced pages. I assumed he was using them in connection with his normal work.

During this interview I have reviewed several classified memoranda prepared in the Department of State. I recall all of these memoranda as being in the office of Mr. OTEPKA at one time or other. I may have prepared reproduced copies of many of these memoranda at his request. If I did I assumed that he had a need for them in connection with his official duties. I have never been requested to remove the classification from any such documents and I have no knowledge of anyone else removing the classification markings.

"I have no knowledge of Mr. OTEPKA furnishing any classified or unclassified government documents to anyone outside the State Department. I do not know any personnel of the Senate Subcommittee on Internal Security and I do not have any knowledge of Mr. OTEPKA being in contact with persons connected with this Committee.

"I have read this statement consisting of five pages and it is true and correct to my best recollection. I have initialed each page and all corrections and sign my name below.

/s/ [redacted]

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Witness:

ROBERT C. BYRNES, Special Agent, FBI, Washington, D. C.
CARL E. GRAHAM, Special Agent, FBI, Washington, D. C."

In addition to the above information, [redacted] stated that OTEPKA never confided in her regarding internal frictions which obviously developed within USDS during the past two or three years. She observed that OTEPKA had previously held the position of Deputy Director of the Office of Security and that in his most recent assignment he held a lesser position. She also noted that OTEPKA during the past two or three years has appeared as a witness on several occasions before various congressional committees including the Senate Subcommittee on Internal Security. She had no recollection of Mr. OTEPKA being in contact with any individuals on any congressional committee other than in an official capacity as a possible witness. [redacted] stated that she had no recollection of ever seeing any transcripts of testimony in the office of Mr. OTEPKA at any time. She did recall that summary pamphlets of various congressional committees which were available to the general public and which related to cases being handled in the Security Office were available in Mr. OTEPKA's office.

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[redacted] stated that she normally worked from 8:45 a.m. until about 6:00 or 6:30 p.m., and that on infrequent occasions, she might remain until approximately 8:00 p.m. She noted that OTEPKA occasionally would be in the office at the time she departed.

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[redacted] stated that while assigned to the office of Mr. OTEPKA, an [redacted] which [redacted] at the close of business and placed in a classified "burn bag".

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With regard to the report of the FBI regarding Mr. HARLAN CLEVELAND concerning which [redacted] made reference in the above statement she noted that she was unable to recall any of the content of the three pages of material which she reproduced by a Thermofax machine at the specific instructions of Mr. OTEPKA. She noted that she considered this a normal request inasmuch as OTEPKA was responsible for the evaluation for clearances of some of the individuals named in such a report. She also noted after reviewing numerous documents exhibited to her during the interview that she recalled having seen each of these documents at various times in the office of Mr. OTEPKA. In view of his responsibilities, she stated that she considered it a normal request for Mr. OTEPKA to have the documents reproduced and that he normally asked her to perform this function.

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Date August 14, 1963

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[redacted] OTTO F. OTEPKA, was interviewed at the Washington Field Office of the FBI.

[redacted] advised that she had no recollection whatsoever of preparing any transcripts of Executive Session Testimony of the Senate Subcommittee on Internal Security for delivery to Mr. SOURWINE or any other individual. [redacted] stated that she was familiar with the general appearance of transcripts of such testimony as these usually had a blue cover sheet and a red ribbon as a binder. She was unable to recall any incident when BILLY HUGHES received transcripts from OTEPKA. She stated that if HUGHES had received such transcripts for delivery to SOURWINE, or any other individual, the arrangements were not made in her presence.

[redacted] stated that in answering incoming telephone messages she normally inquired as to the identity of the caller before putting Mr. OTEPKA on the line. After determining the identity of the caller, she recorded the name of the individual in a stenographic notebook which she maintained in the top drawer of her file cabinet. She usually placed a date stamp on the page indicating the precise date that the telephone call was received. This same procedure was utilized by her when Mr. OTEPKA requested her to place outgoing calls. When the log book of the telephone calls was filled it was her normal procedure to destroy the book. [redacted]

[redacted] stated that she did not believe she had telephone log books in her possession at the present time, but those previously used would be maintained in the top drawer of her file cabinet, if not destroyed.

She also advised that she maintained an index including telephone numbers for individuals frequently contacted by Mr. OTEPKA. Shortly after she was detailed to her present position, which occurred on June 27, 1963,

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by SAs CARL E. GRAHAM
and ROBERT C. BYRNES RCB:rmb Date dictated 8/14/63

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she furnished this index to OTEPKA at his request.

With regard to the telephone calls handled by [redacted] she stated that she had no recollection of ever placing any telephone calls to SOURWINE, nor could she recall any instances of incoming calls from SOURWINE.

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During the interview, reproduced pages of a stenographic notebook were exhibited to [redacted] which contained the name of SOURWINE. She identified the entries on these pages as being [redacted]. The only date available for the entries was [redacted]. [redacted] stated that she was unable to recall handling this telephone call but that it was possible she had received it. She observed that it was also possible one of the other secretaries in the office had received the call and thereafter furnished her a note. She felt that she may possibly have made the entry in her telephone log book from such a note. [redacted] acknowledged that while she had no recollection of handling any calls between Mr. OTEPKA and Mr. SOURWINE, that it was possible that she had done so in the distant past. She had no specific recollection of any such telephone calls as far back as the middle part of 1962 up to and including June, 1963, when she was detailed to her present assignment.

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[redacted] again stated that she had absolutely no information indicating that OTEPKA had furnished SOURWINE or any other individual outside the Department of State with any documents whatsoever. She noted that during the ten year period she was the personnel secretary to OTEPKA she had reproduced numerous documents for OTEPKA at his request. These included both internal documents of the State Department as well as reports of other investigative agencies including the FBI. She stated that Mr. OTEPKA had never volunteered any information

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as to what use he intended to make of such reproduced copies and that it was not within the purview of her duties to inquire as to what use OTEPKA intended to make of these documents.

During this interview the forty pages of material previously exhibited to [redacted] were again reviewed by her. She again stated that [redacted] this material at the request of OTEPKA from several pages of handwritten rough draft data. After reviewing the markings contained in the document [redacted] stated that she definitely recalled that she had performed this duty on [redacted]. She also noted that it was possible that she had started typing this document on the previous [redacted]. She noted specifically that she was sure of these dates both because of the dates [redacted] and [redacted] which were contained in the document, and further because she recalled that it was during the week of the [redacted] stated that with regard to the words [redacted] which were included in the above material, she had never seen any of the attachments and had no knowledge of what may have been furnished. The rough draft which she prepared for OTEPKA was never returned to her to prepare in a final form. [redacted] stated that she did not proofread the rough draft and accordingly, she could not recall the content of the document.

During the interview three pages of material, consisting of 24 questions, were also exhibited to [redacted]. She recognized this material as information she typed at the request of OTEPKA but stated that she had no idea what purpose it would be used for.

[redacted] stated that during her experience as secretary for OTEPKA she felt confident of his ability and his firm opposition to Communism. During the present

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period and over the past few months she has felt that a substantial effort is being made to remove OTEPKA from his position in security work. She observed that in her opinion he was being mistreated and that his ability in the security field was not being properly recognized. She stated she felt that "they", meaning superior officials of OTEPKA, were "out to get him." She declined to specifically identify the individuals to whom she referred.

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Date August 6, 1963

[redacted]
[redacted] Maryland, Secretary to [redacted]
in the Office of the Chief of Evaluations, was interviewed
at the Washington Field Office of the FBI.

[redacted] has been employed at the United States Department of State (USDS) since 1958. Since January, 1962, she has been a secretary in the office of Mr. OTEPKA. In the absence of the regular secretary for Mr. OTEPKA, [redacted] handled secretarial duties for Mr. OTEPKA. [redacted] stated that she had never observed any documents or information being furnished by OTEPKA to any individual outside USDS. She recognized the name of Mr. JAY SOURWINE as an individual connected with the Senate Subcommittee on Internal Security. [redacted] believed that on either one or two occasions she had received incoming telephone calls from [redacted] to Mr. OTEPKA. She also believed that [redacted] on at least one occasion had received a call from SOURWINE to Mr. OTEPKA. [redacted] noted that [redacted] maintained a notebook wherein she recorded the names of individuals calling Mr. OTEPKA, which notebook was maintained [redacted] of [redacted] [redacted] had no information regarding the conversations carried on between SOURWINE and Mr. OTEPKA.

[redacted] recalled an occasion, possibly in [redacted] at which time [redacted] was doing a special project for Mr. OTEPKA on an expedite basis. [redacted] on this occasion, devoted an entire day to this project and was most secretive about the material which she was transcribing. While [redacted] was so engaged, [redacted] handled routine correspondence for Mr. OTEPKA and performed other routine secretarial duties for [redacted] to relieve her of her normal activities. [redacted] stated that [redacted] at such times as she left her desk after transcribing material would cover the work as if she did not wish to have anyone else observe the transcribed data. [redacted] stated that she believed she had done certain reproduction work on various documents in the Evaluations Office at the request of both Mr. OTEPKA

On 8/2/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and ROBERT C. BYRNES / RCB:cjj Date dictated 8/5/63

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and [] however, she had no indication that this was other than for working copies to be used by OTEPKA in connection with his official duties. She was never requested to delete or cut off the classification markings on any documents and had no information indicating such action had ever been taken. During the past six months, [] felt that Mr. OTEPKA was engaged in some activity outside the normal routine. While she had no specific information to support her suspicions she noted that OTEPKA had been withdrawn and preoccupied during this period of time. She also noted that [] had issued instructions that no one was to be allowed in the cabinets of Mr. OTEPKA without her consent. However, in the absence of [] at the instruction of OTEPKA, would occasionally obtain material requested by him.

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Date 8/7/63

[] Special Assistant for Personnel Security, Office of Security, United States Department of State (USDS), advised that he had reviewed pertinent material maintained in the file cabinets of [] Secretary to OTTO F. OTEPKA. [] advised that he had located three references to the name SOURWINE in the stenographic book which apparently contained a log of telephone contacts between OTEPKA and other individuals. On one page of the notebook which bore date stamp of December 19, 1961, was the note "SOURWINE, Date."

Another undated page contained the notation "SOURWINE C. 180 6438."

Another notation contained in the book stated "No mention of April 12, SOURWINE."

This latter notation was contained on a 3 x 5 slip of paper in the notebook. [] stated that no additional references were made to SOURWINE in this notebook .

An examination of the Telephone Directory of the United States Senate dated Spring 1963, contains the name of J. G. SOURWINE, Extention 6438. This same telephone directory indicates that the government telephone code for the United States Senate is 180.

On 8/6/63 at Washington, D.C. File # WFO 65-9038
by SAS MALCOLM P. CARR
ROBERT C. BYRNES:skc Date dictated 8/7/63

Date 8/1/63

[redacted] Security Officer, presently [redacted] field office. Office of Security, United States Department of State (USDS), was interviewed at the Washington Field Office of the FBI. [redacted] stated that he was first employed by the USDS in [redacted]. His first duties involved handling employees special clearances in the Evaluations Division. Thereafter, he was assigned to the Intelligence Reporting Branch, Evaluations Division, and in [redacted] he was [redacted]. On his return to the United States, he was assigned in the Evaluations Division and came under the general supervision of OTTO F. OTEPKA. From [redacted] [redacted] had frequent contact with OTEPKA. [redacted] denied having any knowledge that OTEPKA had made available any official documents to anyone outside the USDS other than within the intelligence community. He knew of no instances where OTEPKA had caused official documents to be reproduced and at no time did he observe any mutilation of any documents indicating that the classification had been removed.

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[redacted] stated that he has seen Mr. JAY SOURWINE of the staff of the Senate Subcommittee on Internal Security on only one occasion to his best recollection. This involved a public hearing conducted in 1961 regarding [redacted]. [redacted] attended this session of the Subcommittee inasmuch as his official duties required a knowledge of action being taken with regard to [redacted]. [redacted] executed the following signed statement regarding his knowledge of the activities of Mr. OTEPKA:

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"Washington, D. C.
"July 29, 1963

"I, [redacted], make the following voluntary statement to CARL E. GRAHAM and ROBERT C. BYRNES who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to me to make this statement and I understand it can be used against me in a court of law.

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On 7/29/63 at Washington, D. C. File # WFO 65-9038
by SAs CARL E. GRAHAM & ROBERT C. BYRNES Date dictated 7/30/63
RCB:dfn

D.R. LA.

"I was born [redacted] Mississippi. Since [redacted] I have been employed by the Department of State. I am presently assigned to the State Department Field Office at [redacted] Since [redacted] I have been under the supervision of Mr. OTTO F. OTEPKA. Since about [redacted] my duties have put me in rather close contact with Mr. OTEPKA.

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"I have no knowledge that Mr. OTEPKA ever furnished any classified documents or information to anyone outside the State Department. I have never seen any indication that OTEPKA ever deleted the security classification from any documents. I do not know of any occasion on which Mr. OTEPKA reproduced any official documents.

"In about the Spring of [redacted] exact date not recalled, Mr. OTEPKA called me to his office. He told me he had some transcripts of his testimony before the Senate Sub Committee on Internal Security which he wanted me to take to the office of Mr. SOURWINE of the Committee staff, in the New Senate Office Building. I recall seeing either one or two volumes of testimony, having a blue cover sheet and bound with a red ribbon. The secretary to Mr. OTEPKA, [redacted] put these in a brown envelope. I do not recall examining these transcripts but it is my distinct recollection that they contained testimony of OTEPKA. This is the only occasion that I delivered or was requested to deliver, anything to the office of Mr. SOURWINE, or anyone else outside the State Department. I do not know how Mr. OTEPKA obtained these transcripts. I did not ask where he got them and he did not tell me. However I do not believe they were received through the usual channels of the State Department Congressional Liaison Office.

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"I have read this statement consisting of three pages and part of a fourth page and it is true and correct to my best recollection. I have initialed the first three pages and all corrections and sign my name below.

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/s/ "BILLY N. HUGHES

"Witness:

"ROBERT C. BYRNES, Special Agent, FBI, Washington, D. C.

"CARL E. GRAHAM, Special Agent, FBI, Washington, D. C.

"7/29/63."

In addition to the above information, [] acknowledged that normal procedure in handling executive session testimony of legislative committees required that the Congressional Liaison Section of USDS would obtain such testimony where it was deemed necessary. Thereafter the Congressional Liaison Office would furnish the testimony to the substantive office within USDS. On completion of any necessary review the transcript of the testimony would then be returned to the Congressional Liaison Office for delivery to the appropriate legislative committee.

With regard to the incident where he had delivered the two transcripts to the office of Mr. SOURWINE on the instructions of Mr. OTEPKA, [] acknowledged that he considered this somewhat unusual and that it was his definite impression that the transcripts had been obtained by OTEPKA directly from Mr. SOURWINE. However, he also was under the impression that the testimony was that of Mr. OTEPKA and accordingly he believed he was entitled to have possession of the transcript for review.

Date 8/1/63

D.C. JOHN R. NORPEL, Jr. 7425 Yellowstone Drive, Alexandria, Virginia, presently detailed to the Washington Field Office, Office of Security, United States Department of State (USDS) was interviewed at the Washington Field Office of the FBI. NORPEL advised that he had been employed by USDS since July 31, 1961. He was first assigned to the Special Operations Branch, Office of Security, where he remained until January of 1962, when he became Chief of the Records and Communications Branch. He continued in this capacity until April of 1962 when he was assigned to the Special Clearance Section, Evaluations Branch. In this later assignment, he was under the direct supervision of [] OTTO F. OTEPKA had overall supervision of NORPEL during this entire period of time. On June 27, 1963, NORPEL was detailed to the Washington Field Office, Security Office, USDS. OTEPKA was also detailed to another assignment on that same date and in addition BILLY N. HUGHES and Mr. OTEPKA's [] were also detailed to the Washington Field Office. NORPEL stated that at the time they were informed of the change in their assignment all material contained in their file cabinets was locked and the combinations on the cabinets were changed on that same date.

NORPEL stated that no information has ever come to his attention indicating that OTEPKA has furnished any classified documents or information or any documents of USDS to unauthorized individuals including personnel of congressional committees. NORPEL related the following instances which he recalled as having visited the Capitol. The first instance he along with [] picked up transcripts of testimony in either the case of [] NORPEL believed that he merely [] on this occasion and probably did not even enter the Capitol building. On the second occasion [] and NORPEL to obtain copies of the House and Senate telephone directories. On another occasion, [] and NORPEL again picked up the testimony of either the [] case or [] case. In addition, sometime during [] OTEPKA, [] and NORPEL had lunch at a restaurant in the vicinity of the Capitol. On completion of the lunch [] and NORPEL drove OTEPKA to the Capitol. NORPEL recalled that

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D.C. On 7/30/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and ROBERT C. BYRNES Date dictated 7/30/63
RCB:dfn

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OTEPKA was scheduled to testify before the Senate Subcommittee on Internal Security on that occasion. He believed that OTEPKA was carrying a briefcase on this occasion but had no information as to the contents. NORPEL also recalled that on the morning of possibly June 28 or July 3, 1963, OTEPKA received a telephone call requesting that he appear as a witness before the Senate Subcommittee on Internal Security. NORPEL drove OTEPKA to Capitol Hill on this occasion. OTEPKA never discussed with NORPEL any testimony he had given on any occasion. NORPEL had no information as to contacts between OTEPKA and Mr. JAY SOURWINE or other individuals connected with the congressional committees. Other than the instance described above, NORPEL was never requested by OTEPKA to pick up or deliver anything to any individuals connected with congressional committees.

About May or June, 1963, NORPEL heard rumors that an investigation was being conducted by a private firm to determine the source of a leak of information to a congressional committee. NORPEL believed that this rumor occurred at about the same time that Mr. JOHN F. REILLY, Deputy Assistant Secretary for Security, appeared as a witness before the Senate Subcommittee on Internal Security. On his return from this appearance REILLY alleged that the Committee was in possession of a memorandum which he had signed. According to the rumors which NORPEL heard, the source not identified, the same private investigative firm which was conducting this investigation had previously conducted an investigation initiated by [redacted] of the Department of Defense in an effort to establish the source of information utilized by Senator KEATING in connection with the Cuban crises. The investigation of USDS personnel allegedly involved physical surveillances of unidentified persons as well as telephone taps.

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NORPEL denied that he had ever had access to any transcripts of testimony of congressional committees. On one occasion he observed OTEPKA reviewing a transcript of testimony which NORPEL assumed was the testimony of OTEPKA. NORPEL did not observe any of the contents of this transcript and could not further identify it.

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NORPEL stated that he had never seen an investigative file regarding Assistant Secretary of State, HARLAN CLEVELAND. However, he was aware that a file on CLEVELAND had been retained in the possession of OTEPKA. He recalled that on an unidentified date OTEPKA had commented that it appeared that everyone in the "shop" of HARLAN CLEVELAND appeared to have some security problem. OTEPKA did not elaborate on this any further.

NORPEL also recalled that some time after the appearance of Mr. REILLY before the Senate Subcommittee, OTEPKA had stated to him that REILLY had said some vicious things against OTEPKA and that he had to defend himself. NORPEL believed this comment was made some time in May or about the early part of June. In this same connection, NORPEL recalled OTEPKA stating that he felt any government employee had the privilege of appealing to his congressman to obtain relief if he was being abused in connection with his official duties. NORPEL stated that OTEPKA did not indicate what methods he intended to use to defend himself in connection with his possible removal from his employment.

With regard to his business and social contacts with OTEPKA, NORPEL stated that he normally had lunch with OTEPKA about twice a week. Also present on most of these lunch dates was [redacted] OTEPKA has been at the residence of NORPEL at the invitation of the latter on two occasions. One of these in July and one in August, 1962. Present at the July party in addition to OTEPKA was

[redacted]. At the August party in addition to OTEPKA and his [redacted] were also present. [redacted] are both employed as secretaries in the Evaluations Branch, USDS. In addition, NORPEL and his wife briefly attended a picnic at the residence of OTEPKA sometime between July and August, 1962.

Following the reassignment of NORPEL and OTEPKA on June 27, 1963, OTEPKA appeared at the residence of NORPEL in Alexandria on about July 5, 1963. OTEPKA on this occasion asked NORPEL if he could determine whether the FBI was then conducting an investigation regarding him. NORPEL declined

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to assist OTEPKA. NORPEL then inquired of OTEPKA if the rumors were accurate indicating that OTEPKA had leaked information or documents to representatives of a congressional committee. OTEPKA vigorously denied the truth of this rumor stating that he had never furnished any documents or information to any unauthorized individual and further that he had never removed any classified material from the State Department at any time.

Date 8/1/63

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SC RAYMOND A. LOUGHTON, 228 Lawrence Drive, Falls Church, Virginia, Chief of Special Review Branch, Division of Evaluations, Security Office, United States Department of State (USDS), was interviewed at the Washington Field Office of the FBI. LOUGHTON stated that he had been employed by USDS since July 31, 1961. Prior to his employment by USDS he was Assistant Director, Security Service, Department of Defense. LOUGHTON advised that he has known OTTO F. OTEPKA for the past twenty years inasmuch as they were both employed by the Civil Service Commission. He also offered LOUGHTON a position in the Security Office in 1961 indicating that considerable change was needed in the Security Office at the Department of State and indicating that he felt LOUGHTON was capable of resolving certain administrative problems which then existed in the Special Operations Section of USDS. His first appointment with USDS was as a GS-14. The initial problems that OTEPKA indicated LOUGHTON would be involved in were:

1. To evaluate cases
2. To establish liaison with other security organizations within the government and
3. To examine the files of USDS so that full utilization might be made of information available in USDS files.

LOUGHTON observed that none of these objectives have been accomplished since he has been employed by USDS.

LOUGHTON stated that while his acquaintance with OTEPKA is long standing he has had practically no social contact with him and that the only visit to OTEPKA's home had been approximately two years ago. He noted that OTEPKA has been his guest on a very few occasions for fishing trips on Chesapeake Bay.

LOUGHTON stated that his general opinion of OTEPKA is that he is a dedicated man to security work and devotes his entire energies and abilities toward effective security procedures.

On 7/31/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and
ROBERT C. BYRNES/RCB:nmb Date dictated 8/1/63

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LOUGHTON stated that he had absolutely no information indicating that OTEPKA had ever furnished any classified documents or information in any official USDS documents to any individual outside the State Department. LOUGHTON had no information concerning any contacts of OTEPKA with any individual on any congressional committee. He recalled that he has seen the name of JAY SOURWINE and recognized the name as Staff Counsel for the Senate Subcommittee on Internal Security; however, he was not aware of any contacts between OTEPKA and SOURWINE. LOUGHTON stated that the only transcript of testimony before a congressional committee that he had ever seen in the USDS was testimony which was published in 1962 and which involved the testimony of Mr. ROGER JONES and [redacted] formerly connected with the Office of Security, USDS. OTEPKA also testified at that time and his testimony was also included in the transcript which LOUGHTON reviewed.

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LOUGHTON observed that from information he has received from various sources which he described as "rumors" he was of the opinion that two factions were presently in existence in USDS one of which was favorable toward OTEPKA and one which was opposed to him. In this connection LOUGHTON noted several weeks ago Mr. JOHN F. REILLY, Deputy Assistant Secretary for Security, USDS and his Assistant, [redacted] appeared as witnesses before the Senate Subcommittee on Internal Security. LOUGHTON stated he had no information whatsoever as to the testimony of these two officials. However, shortly thereafter in referring to these appearances OTEPKA stated both "lied - they lied." LOUGHTON was not aware of how OTEPKA knew of the testimony of REILLY and [redacted] and OTEPKA made no comments regarding his knowledge of this testimony. On one occasion LOUGHTON in connection with his official duties inquired of OTEPKA regarding testimony before the above subcommittee. OTEPKA instructed LOUGHTON to return to his duties and not to get involved in such information.

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LOUGHTON stated he was on annual leave from June 24, 1963, to July 3, 1963. He returned to his office on July 3, 1963, to obtain his pay check. At that time he learned that OTEPKA and other individuals in his office had

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been detailed to other assignments. On about July 5, 1963, at the instructions of [redacted] LOUGHTON prepared a memorandum for other individuals in the Evaluations Unit instructing that OTEPKA was not to have access to any files or information in the Security Office. LOUGHTON designated one copy of this memorandum for Mr. OTEPKA.

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On Monday, [redacted] formerly assigned to the Evaluations Division and presently detailed to the USDS, [redacted] Field Office stopped at LOUGHTON's office. LOUGHTON arranged to have luncheon with [redacted] and OTEPKA at the Market Inn at noon on that date. [redacted] during the luncheon indicated that he was to appear at the Washington Field Office of the FBI on that afternoon and was disturbed at the possibility of an interrogation. OTEPKA reassured him stating that he should "tell the truth." During this luncheon the rumor was discussed to the effect that OTEPKA allegedly had furnished information to the Senate Subcommittee on Internal Security. The only response to this rumor by OTEPKA was "the information I've given them is on the record." LOUGHTON stated he did not question OTEPKA whether this rumor was accurate and OTEPKA did not deny the accuracy of the rumor other than the above comment. LOUGHTON stated he had never seen any indication that OTEPKA had removed security classification markings from any documents at USDS nor did he have any information that OTEPKA had reproduced or caused to be reproduced any documents other than for official reasons.

Date 8/2/631

§ C [redacted] Virginia, Personnel Security Officer, Evaluations Division, Security Office, United States Department of State (USDS), was interviewed at the Washington Field Office. [redacted] stated that he was first employed at USDS in [redacted] as a Personnel Security Officer and continued this assignment until [redacted] when he [redacted] the Office of Civilian Defense at [redacted]. He returned to his employment at USDS in August, [redacted] stated that he has known Mr. OTTO F. OTEPKA for many years inasmuch as he formerly worked as a clerk at the Civil Service Commission when Mr. OTEPKA was employed by that agency. [redacted] stated that he has worked rather closely with OTEPKA since [redacted] on involved cases involving security problems of USDS personnel. At no time has he ever received any information indicating that OTEPKA has furnished any information or documents, classified or unclassified, to individuals on any congressional committee. He was not aware of any contacts of OTEPKA with personnel of any congressional committee. [redacted] has never observed any transcripts of testimony of congressional committees other than public releases since he has been employed at USDS. He had no information indicating that OTEPKA has reproduced any documents other than for official USDS use. He was not aware of any instances of OTEPKA removing the classification from any official document.

[redacted] stated that he had been on annual leave from July 3, 1963, to July 21, 1963. Since his return from annual leave he has seen Mr. OTEPKA on only a few occasions. [redacted] on the first occasion after his return from annual leave had coffee with OTEPKA and indicated he was sympathetic to the removal of OTEPKA from his assignment. At that time OTEPKA stated that he was being "mistreated" because of his testimony on the [redacted] (Security Evaluation of [redacted] former Foreign Service Officer). [redacted] understood this to be testimony furnished by OTEPKA prior to October, 1962.

On 7/31/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and
ROBERT C. BYRNES/RCB:nmb Date dictated 8/1/63

Date August 5, 19631

[redacted]
[redacted] Maryland, employed as Personnel Security Officer, Evaluations Section, Security Office, United States Department of State (USDS), was interviewed at the Washington Field Office of the FBI.

[redacted] has been employed as an evaluator by USDS from [redacted] the Civil Service Commission, at which time he became acquainted with OTTO F. OTEPKA. [redacted] has had no substantial social contact with OTEPKA but has worked closely with him at USDS. He had no information whatsoever indicating that OTEPKA had ever furnished any information to any individuals connected with a Congressional committee or to any other source outside USDS. He was not aware of OTEPKA having any contact with any individuals on a Congressional committee. [redacted] stated that it was his impression that OTEPKA had been detailed from his position as Chief of the Evaluations Section because of alleged adverse comments made by OTEPKA during appearances before the Senate Subcommittee on Internal Security during 1962. However, [redacted] stated that he had reviewed the published hearings of the Senate Subcommittee which were released in October, 1962, and found no indication in the public release that OTEPKA had made any adverse comments.

[redacted] has talked with OTEPKA on one or two occasions since OTEPKA was detailed from his former job and OTEPKA has informed him that he intended to file a grievance. OTEPKA, on these occasions, has indicated he felt that he was mistreated and that he intended to fight to preserve the rules and regulations of USDS; however, OTEPKA did not indicate what methods he intended to resort to in carrying out this fight. [redacted] stated that he knew OTEPKA was concerned with the clearance of various individuals presently employed by USDS who OTEPKA felt should not be cleared for such employment. [redacted] had no information indicating that OTEPKA received transcripts of testimony of any witness before the Senate Subcommittee on Internal Security.

On 8/1/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and ROBERT C. BYRNES/ Date dictated 8/5/63

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1Date August 5, 1963

[redacted]
[redacted] Virginia, employed as a Personnel Security Specialist, Evaluations Division, United States Department of State (USDS), was interviewed at the Washington Field Office of the FBI.

[redacted] has been employed in his present capacity since [redacted] stated he had no information indicating that OTEPKA, with whom he has been in frequent contact since his employment at USDS, ever furnished any documents or information to individuals on a Congressional committee or any source outside USDS.

[redacted] stated that over the past year he has noted that OTEPKA is obsessed with the idea of digging up security cases on USDS employees. On some occasions, OTEPKA has stated before members of his staff that he felt very strongly that there were substantial security problems within USDS and that it was the responsibility of his staff to "dig up" the security information which undoubtedly was contained in the files of USDS. In this respect, OTEPKA has followers on his staff such as Mr. LOUGHTON and [redacted] both of whom are employed as evaluators. During about [redacted] LOUGHTON requested [redacted] and one or two other evaluators to review all the cases they had recently handled, listing them and indicating whether a subversion factor was involved in the case. [redacted] stated that this procedure in his opinion was to develop a substantial list of cases containing derogatory information which would cause the issuance of a clearance to be suspect. In connection with this survey, there appeared to be a sense of urgency and he was requested to complete this survey within one day, furnishing the results to LOUGHTON. [redacted] stated it was his definite impression that this material was requested and needed by Mr. OTEPKA. He was not aware of the objective of this survey.

On 8/1/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and Date dictated 8/5/63
ROBERT C. BYRNES/ RCB:cjj

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Date 8/9/63

[] Training and Education Officer, Security Office, U. S. Department of State (USDS), advised that he had been employed by the Department of State since [] until about [] [] he has been assigned to posts abroad except for occasional home leave trips. Since 1952, he has had occasional contact with OTTO F. OTEPKA. During these contacts, discussions regarding official matters have been carried on and [] has had no social contact with OTEPKA at any time.

[] stated that from rumors in the Security Office, he understood that OTEPKA had been detailed to a different assignment on or about June 27, 1963. He had not seen OTEPKA since that time until about July 28, or 29, 1963, when he met OTEPKA in the hall outside the Security Office. On this occasion, [] [] to OTEPKA about his []

[] Chief of Evaluations Branch in the Security Office. [] suggested that OTEPKA would find conditions much more favorable if he acknowledged that Mr. REILLY, the present superior of OTEPKA, should be recognized as his "boss". OTEPKA replied that sometimes when normal procedures were being ignored that it was necessary to go to a higher authority. From this remark, [] drew the inference that OTEPKA was going outside USDS regarding his removal. OTEPKA referred to the fact that he had testified under subpoena and accordingly, he had been required to answer questions truthfully. [] stated that he assumed he was referring to appearances by him before the Senate Subcommittee on Internal Security. OTEPKA also commented that he was too hard-headed to accept his present plight, and that he intended to fight the matter all the way.

On 8/6/63 at Washington, D. C. File # WFO 65-9038

by SAs MALCOLM P. CARR and ROBERT C. BRYNES Date dictated 8/7/63

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stated he had no information whatsoever that OTERKA had ever furnished any documents, classified or unclassified, to individuals outside the U. S. Department of State.

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Date August 5, 1963

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[] Security Officer and Executive Director, United States Arms Control and Disarmament Agency (ACDA) was interviewed at his office in the United States Department of State (USDS) building at his request.

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[] stated that he had learned investigation was being conducted regarding OTTO F. OTEPKA and he felt he should furnish certain comments which might be of assistance.

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[] stated that he has known OTEPKA for the past 13 years. He first became acquainted with OTEPKA when they both were employed by the Civil Service Commission in the Evaluations Section. OTEPKA came to the USDS in 1953 when SCOTT MC LEOD became the Director of Security and Consular Affairs. OTEPKA had been a very objective, honest and fair evaluator while employed by the Civil Service Commission. He also had become very active in Post Number 60 of the American Legion in Washington, D. C., and had been Chairman of the Americanism Committee of the American Legion. In this latter capacity, OTEPKA was believed by [] to work very closely with the House Committee on Un-American Activities and the Senate Subcommittee on Internal Security. In 1955, [] joined the Security Office, USDS, and continued in this capacity until 1962 when he assumed his present position. While employed by USDS, [] worked very closely with OTEPKA. Beginning in about July, 1959, OTEPKA appeared to have a substantial personality change. He became antagonistic toward fellow workers and felt that everyone was attempting to undermine him. This condition has increased since that time and at present [] is of the belief that OTEPKA is obsessed with the idea that people are trying to remove him from his position in USDS. During the past two years OTEPKA has established a reputation of being stubborn and egotistical, feeling that he is always right and others are wrong. He has consistently been critical of the foreign service officers in USDS and is particularly antagonistic toward them.

[] stated that he has no definite knowledge that OTEPKA has furnished information or documents, classified or unclassified, to the Senate Subcommittee on Internal Security or any source outside USDS. However,

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On 8/2/63 at Washington, D. C. File # WFO 65-9038

by SAs CARL E. GRAHAM and Date dictated 8/5/63

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WFO 65-9038

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he felt his observations as to the personality change of OTEPKA might have significance in evaluating this investigation.

Date August 6, 1963

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[redacted] Legislative Officer, Office of Assistant Secretary of State for Congressional Relations, was interviewed at his office, Room 7251, United States Department of State (USDS).

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[redacted] stated he has known OTTO F. OTEPKA since about 1953 when OTEPKA was first employed by USDS. He has had no social contact with him and his official contacts have not been frequent. [redacted] stated that his official duties require him to be present at hearings of the Senate Subcommittee on Internal Security when personnel of USDS appear as witnesses. He also stated that requests for the appearance of USDS personnel were usually referred to him by Mr. SOURWINE, Chief Counsel of the Subcommittee, or [redacted] Chief Investigator for the Subcommittee. [redacted] stated that requests for information in USDS files by Mr. SOURWINE or [redacted] are usually directed to him. Wherever possible, USDS cooperates with the committee in furnishing all possible information regarding matters of interest to the Subcommittee. He noted that this does not mean that matters currently being considered such as clearance of persons being considered for employment would be furnished the Subcommittee until a determination and evaluation had been completed. In addition, [redacted] stated that following the appearance of USDS personnel before the Subcommittee it is customary for the Subcommittee to furnish the transcript of this testimony as soon as it is transcribed. The transcript ordinarily is then furnished the USDS individual who testified for his review and for any corrections that are deemed necessary. On completion of such review, the USDS employee is required to return the transcript to [redacted] who then returns it to SOURWINE or SCHROEDER.

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[redacted] stated that he had no information specifically indicating that OTEPKA has ever furnished any documents or information to the Subcommittee staff. However, certain conditions have been in existence for the past several months which caused him to suspect that OTEPKA might be cooperating with the Subcommittee counsel. [redacted] stated

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WFO 65-9038

that he has observed that during three appearances of OTEPKA before the Subcommittee he has been greeted most cordially by both SOURWINE and [] prior to the beginning of the testimony by OTEPKA and on completion of the hearing. In addition, [] has noted that the committee has asked specific questions regarding matters being considered by the Security Office of USDS indicating their knowledge of such cases and which have not been discussed with him by SOURWINE or []. [] stated that the subject of the current hearing is entitled "Security Procedures Within the Department of State." As a specific instance of the Subcommittee staff being cognizant of documents circulating in USDS, [] noted that [] Special Assistant for Personnel Security, Security Office, USDS, appeared as a witness before the Subcommittee on or about []. During this appearance [] was interrogated regarding a memorandum prepared over his signature relating to the clearance of [] and which was dated either []. [] noted that on or about [] Mr. SOURWINE telephoned him and inquired whether [] had received a clearance. At that time [] had no knowledge that a clearance had been issued for [] and so informed SOURWINE. SOURWINE replied that it was a fact that [] had received a clearance. [] noted that a memorandum recommending a clearance for [] had actually been prepared on the instructions of [] but that prior to its becoming final the clearance action had been withdrawn. [] stated that he could only conclude that SOURWINE had been informed of the memorandum which had been prepared.

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[] stated that the only individual on Capitol Hill whom he definitely knew OTEPKA to contact was [] who formerly was a secretary in the office of the former Director of Security, USDS, Mr. SCOTT MC LEOD. [] is now employed by Senator JORDAN of Idaho and is not known to have any contact with the Senate Subcommittee on Internal Security. [] recalled another instance where the Subcommittee had knowledge of matters being considered in the Security Office which related to the Advisory Committee on the Arts. While this matter was under discussion within the USDS Security Office and which apparently was closely

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held, it came to the attention of [] that the Subcommittee had the names of several individuals who were being considered for appointment to the Advisory Committee on the Arts. [] noted that SOURWINE is extremely well prepared in his examination of witnesses and that he maintains a card file on various names and organizations, indicating that he has access to substantial information regarding the matters under consideration. [] stated that from his limited contact with OTEPKA he has concluded that OTEPKA is neurotic with respect to certain cases such as the [] case and considers himself a crusader.

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Date 8/12/63

ROGER W. JONES, Special Assistant to the Director, Bureau of the Budget, was interviewed at his office, Room 242, Executive Office Building. Mr. JONES stated that he had been employed from January 1, 1961, to June 30, 1962, as Deputy Undersecretary for Administration, U. S. Department of State (USDS). He first became acquainted with OTTEPKA shortly after he was appointed to his position in USDS. JONES noted that he had heard of OTTEPKA prior to that time, inasmuch as he, JONES, was formerly Chairman of the Civil Service Commission. JONES stated that while assigned to USDS, he had only limited official contact with OTTEPKA and no social activities were engaged in. JONES stated that he had no evidence that OTTEPKA has ever furnished any documents or information to JAY SOURWINE of the Senate Subcommittee on Internal Security, or to any other outside individual. However, he had strong suspicions that OTTEPKA had furnished information to SOURWINE. He first suspected OTTEPKA during the Summer of 1961 when the Senate Subcommittee on Internal Security was conducting hearings regarding [redacted] a Foreign Service Officer of USDS. JONES and OTTEPKA both appeared as witnesses during these hearings. JONES had occasion to review testimony not only of himself but also of other USDS personnel during that time. During these hearings it became apparent from the questions asked by the Subcommittee staff that they had knowledge of certain action being taken in USDS. At that time, OTTEPKA was devoting substantial time to the [redacted] case. Some time later the Subcommittee again conducted hearings with regard to [redacted] OTTEPKA continued to handle the [redacted] case in USDS. During the later hearings it again was apparent that the Subcommittee possessed material from USDS files.

JONES noted that during the series of hearings while OTTEPKA appeared as a witness, which appeared to him that an attempt was being made to furnish OTTEPKA with an opportunity to favorably comment on his own personal capabilities

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by SAs MALCOLM P. CARR and ROBERT C. BYRNES Date dictated 8/7/63

RCB:mbb

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and discharge of his duties. In addition, JONES stated that a specific instance of what he considered a leak of information to the Subcommittee involved questions as to "back-dating" of security waivers. At the time this subject was brought up JONES was not aware of the complete facts on the procedures then in existence at USDS. After examining the procedures, he determined that on appointments by the new Administration in January, 1961, and in order to expedite the assignment of personnel, temporary waivers were issued. The procedure involved the preparation of a waiver by USDS personnel. This waiver would be dated on the same day that the waiver was originally prepared. It then would proceed through various offices of USDS until it was eventually signed by the Secretary of State or his disignee. Sometimes this resulted in a delay of several days from the date that the waiver was actually dated before the signature was actually affixed. After reviewing this procedure, Mr. JONES changed the methods of handling such waivers so that they were dated on the date the waiver was actually signed by the appropriate USDS official. During the examination of this procedure, Mr. JONES determined that the matter had previously been discussed by OTEPKA with Mr. BOSWELL, the former Director of Security for USDS and OTEPKA's superior. Another instance which Mr. JONES recalled and which he considered a leak of information of internal procedures to the Subcommittee involved a "signing machine". Mr. JONES acknowledged that the "signing machine" was actually utilized in USDS for the Secretary of State and other highly placed officials on such documents as were considered appropriate. During the interrogation by the Subcommittee Staff they explored to a substantial degree the procedures involved in the use of the "signing machine". On another occasion, the Subcommittee became interested in names of individuals who had never actually been appointed to positions in USDS. Mr. JONES stated that he could only conclude that some employee of USDS, who was aware that such individuals were being considered for appointment, had furnished their identity to an individual on the Senate Subcommittee.

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Because of these factors and because OTEPKA was knowledgeable regarding all of this information, Mr. JONES strongly suspected that he probably was the source of the leaks of information. He again noted that he had no evidence to support his suspicion.

Mr. JONES noted that in his opinion, OTEPKA was an extremely competent evaluator, arriving at definite accurate decisions and making specific recommendations. He observed that sometimes the recommendations of OTEPKA were reversed by his superiors in the chain of command. OTEPKA objected to being overruled, feeling that he was more knowledgeable regarding such decisions and that his recommendations should be followed. Mr. JONES had the impression that OTEPKA felt that from such reversals he was suffering a loss of authority.

Date 8/19/63

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OTTO F. OTEPKA, 1832 Arcola Avenue, Wheaton, Maryland, employed as Chief, Division of Evaluations, Security Office, U. S. Department of State (USDS), was interviewed at the Washington Field Office (WFO) of the Federal Bureau of Investigation (FBI).

OTEPKA stated that he was first employed by the Civil Service Commission (CSC) in 1942 and was stationed in New York City. Shortly after he started this employment, he entered the U. S. Armed Forces and was honorably discharged in 1946. Following his discharge he resumed employment with the CSC in New York City and in 1947 he was transferred to the CSC Headquarters in Washington, D. C. In 1953 while employed as an evaluator by the CSC, he was offered employment at USDS which he accepted. Since June 15, 1953, he has been employed by USDS. In 1954 he became Chief of the Evaluations Division, Security Office, USDS. In April, 1957, he was appointed Deputy Director of the Security Office and in April, 1962, due to a reduction in force he was reappointed as Chief, Evaluations Division, which position he continues to hold at the present time. However, he noted that since June 27, 1963, he has been detailed to an assignment involving the revision of certain phases of the Training Manual for the Security Office.

At the inception of this interview, Mr. OTEPKA was advised that this investigation involved allegations of violation of the federal laws within the investigative jurisdiction of the FBI. He was also advised that any statement he desired to make regarding these allegations would be voluntary, that anything he did say could be used against him in a court of law, and that he was entitled to consult with legal counsel of his choice before making any statement whatsoever. He was also advised that no threats or promises of any kind would be made.

OTEPKA stated that he was acquainted with several individuals affiliated with the staff of the Senate Subcommittee on Internal Security. He noted that he has been

On 8/14, 15 & 16/63 at Washington, D. C. File # WFO 65-9038
by SAs CARL E. GRAHAM and ROBERT C. BYRNES RCB:skn Date dictated 8/16/63

acquainted with [] Chief Investigator for the Subcommittee since 1947. He has had infrequent contacts with [] since 1947 and indicated that he has had luncheon with [] on probably two occasions during the past year.

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OTEPKA stated that he also was acquainted with [] a former employee of the CSC and now employed as Minority Counsel on the staff of the Senate Subcommittee. He stated that in about 1954 he accompanied his former superior, [] when [] testified before the Senate Committee on Government Operations. On completion of the appearance of MC LEOD before this committee, [] and OTEPKA had luncheon at Wearley's Restaurant near Capitol Hill. During the luncheon OTEPKA, through a mutual acquaintance, was introduced to Mr. J. SOURWINE. OTEPKA stated that to his knowledge he had not again seen SOURWINE until November of 1961, when he, as well as other individuals in USDS, appeared as witnesses before the Senate Subcommittee on Internal Security. SOURWINE, as the Chief Counsel for the Subcommittee, conducted the examination of witnesses during these hearings. OTEPKA next appeared before this Subcommittee in April, 1962. At that time SOURWINE started examining witnesses with regard to the handling and procedures in the State Department with regard to [], a Foreign Service Officer in USDS. OTEPKA stated that he had worked on the [] case since about December, 1961, and was thoroughly familiar with the facts involved. SOURWINE examined OTEPKA extensively asking very germane questions with respect to the [] case. OTEPKA stated that inasmuch as he was testifying officially on the record, he made every effort to be as responsive to the questions asked of him as was possible. He noted Mr. ROGER JONES, formerly Deputy Assistant Secretary for Administration, USDS, and [] former Director of Security, also testified regarding this case during April and May, 1962. Sometime thereafter OTEPKA heard rumors from unrecalled sources that his superiors were unhappy at the testimony he had furnished as to the handling of certain cases by the USDS Security Office.

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In May, 1962, Mr. JOHN F. REILLY, Deputy Assistant Secretary for Security, USDS, who has been the superior of OTEPKA since about May of 1962, offered OTEPKA an appointment to the National War College. OTEPKA observed he was flattered at this selection inasmuch as appointments were usually made on an annual basis and were usually reserved for officials of the Foreign Service. However, OTEPKA sub-

sequently realized that there was a possibility that he might not be able to return to security work following his completion of the course. Accordingly he recontacted REILLY inquiring whether he would return to his original position on completion of the training. Mr. REILLY advised him that there would be no position open for him on completion of this course. At that time OTEPKA informed Mr. REILLY that he could not accept the appointment.

In November, 1962, the Senate Subcommittee on Internal Security published its report regarding the hearings in which OTEPKA and other USDS personnel had testified. This report "blasted" USDS for the method of handling various security problems. At the conclusion of the report the committee made several recommendations indicating their intention of following up on the recommendations to determine if they were complied with.

In April, 1963, OTEPKA was recalled as a witness before the committee and he has appeared on five occasions since that time including an appearance on Monday, August 12, 1963. During these appearances OTEPKA stated that he had attempted to furnish complete, honest answers to all questions posed by the Chief Counsel concerning which he was knowledgeable.

In about the middle of May, 1963, Mr. JOHN F. REILLY, the superior of OTEPKA, was notified that he was to be a witness before the Senate Subcommittee. At that time REILLY requested OTEPKA to obtain his, OTEPKA's, testimony so that he might prepare himself for possible interrogation. At the specific request of Mr. REILLY, OTEPKA obtained transcripts of executive session testimony by him, OTEPKA, from Mr. SOURWINE. OTEPKA noted that he had previously reviewed these transcripts which had been furnished him by the Congressional Liaison Office of USDS and which he had returned to that same office after he had reviewed and corrected his testimony. After REILLY had completed his review, he returned these transcripts to SOURWINE via OTEPKA.

Following the testimony of Mr. REILLY, Mr. SOURWINE called OTEPKA at his office in USDS. SOURWINE requested that he come to see him which he agreed to do on the evening of the call. During the meeting with

SOURWINE at his office in the Senate Office Building, SOURWINE stated that there was much contradiction between the testimony of OTEPKA and REILLY. SOURWINE agreed to furnish the transcripts of Mr. REILLY's testimony to OTEPKA for his review. SOURWINE requested that Mr. REILLY's testimony be carefully examined and that he make any notes he determined necessary pointing out the contradictions. On this first meeting with SOURWINE, OTEPKA recalled that two transcripts of testimony of Mr. REILLY were made available to him. On one or two subsequent meetings SOURWINE made additional transcripts of the testimony of Mr. REILLY available. All copies of the transcripts while in the possession of OTEPKA were maintained in his file cabinet in the Security Office, USDS. OTEPKA recalled that the first two transcripts which he obtained from SOURWINE were returned by a Security Office employee, [redacted], in a sealed envelope. OTEPKA stated that he did not recall informing [redacted] as to the contents of this envelope. In rebuttal of statements made by Mr. REILLY, OTEPKA prepared 39 pages of material, most of which was in rough draft, handwritten form and furnished it to his secretary, [redacted] for transcribing. OTEPKA thought that he may have dictated some of these 39 pages but could not recall which specific pages he had dictated. In support of the points that he was attempting to establish in his rebuttal, OTEPKA furnished 13 attachments to the rebuttal memorandum which involved numerous documents, all of which were originated in USDS. OTEPKA denied that he had ever removed by cutting or blocking out any classifications on any documents at any time. Mr. OTEPKA at the conclusion of the interview on August 14, 1963, stated that he maintained copies of the memorandum of rebuttal prepared by him as well as copies of the attachments and he agreed to obtain copies of all of this material and continue the interview on August 15, 1963.

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On August 15, 1963, Mr. OTEPKA was again interviewed at the WFO of the FBI. He made available for reproduction copies of all attachments in his possession as well as a copy of his rebuttal memorandum. OTEPKA

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agreed to dictate a written statement concerning his recollection of all facts regarding this matter, which he dictated on August 15, 1963.

On August 16, 1963, Mr. OTEPKA was again interviewed at the WFO. During this interview OTEPKA furnished copies of exhibits number 4 and 7 which he did not have available during the previous interviews. The statement dictated by Mr. OTEPKA was completed on August 16, 1963, and was executed by him on that same date. Content of this statement is set out herewith:

"Washington, D. C.
August 15, 1963

"I, OTTO F. OTEPKA, make the following voluntary statement to CARL E. GRAHAM and ROBERT C. BYRNES, who have identified themselves as Special Agents of the Federal Bureau of Investigation. No threats or promises of any kind have been made to me to make this statement and I know it can be used against me in a court of law. I have been advised of my right to have legal counsel before making any statement whatsoever.

"Mr. BYRNES informed me in general that the FBI was conducting an investigation with respect to myself concerning an allegation that had been received that I had furnished classified information to an unauthorized person. In the course of our discussion it was made known to me specifically that the alleged unauthorized person was the Chief Counsel of the United States Senate Committee on the Judiciary. His name is JULIEN G. SOURWINE. I shall hereinafter for the purposes of this inquiry identify such documents which were furnished by me to the Chief Counsel of this Committee. It is important to me at the outset that it be known for the record that I am a member of the classified or competitive Civil Service and that I am now and have been a career member of that service for over 27 years.

"The circumstances in regard to which I am alleged to have furnished documents or information to the said Chief Counsel relate to an investigation which was being conducted by the Internal Security Subcommittee of the Committee of the Judiciary beginning in November, 1961. I first appeared before that Committee at its request and with the express permission of the Department of State together with two other members of the Bureau of Security and Consular Affairs, and I responded to the questions of its Chief Counsel frankly and truthfully to the best of my knowledge and ability. Subsequently I reappeared before that Subcommittee once in April, 1962, also at the Committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In November, 1962, the Committee publicly released the transcripts of my testimony and that of other Department of State personnel together with a report of the Committee containing the Committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

"Beginning in March, 1963, and during April, 1963, I appeared before the same Subcommittee in accordance with its request and with the knowledge of my superiors, for a total of four times. I was given to understand that the Committee was seeking to ascertain from the Department of State whether or not the Department of State had implemented the Committee's recommendations to improve certain security practices found by the Committee to be deficient. During May, 1963, my immediate superior, Mr. JOHN F. REILLY, also testified before the Committee on three separate days. Prior to his appearance and at his own personal request I obtained from the Chief Counsel of the Committee, Mr. SOURWINE, the stenographic transcripts of my testimony of March and April, 1963, and furnished those transcripts to Mr. REILLY. Mr. REILLY indicated to me he had not read my transcripts before. I do not know the reason why.

"Following the first appearance of Mr. REILLY, which I believe was on May 21, Mr. REILLY personally came to my office and informed me that Senator THOMAS F. DODD, the presiding chairman of the Subcommittee, had given him, Mr. REILLY, 'a bad time' on that day. Mr. REILLY related to me that he had told the Subcommittee that I had voluntarily disqualified myself from the evaluation of the case of [REDACTED] Mr. REILLY asked if I could 'straighten out' Mr. DODD on this matter. I said I did not know Mr. DODD but were I to be again questioned by the Subcommittee I would be very happy to state for the record what had transpired between myself and Mr. REILLY when on a prior occasion he discussed with me at his request my future role in the re-evaluation of the [REDACTED] case. I prepared for the record and have in my possession a memorandum indicating the exact nature of my discussions with Mr. REILLY on any prior occasion concerning what function I should play as Chief of the Division of Evaluations in the [REDACTED] case.

"Following the conclusion of Mr. REILLY's testimony, Mr. JULIEN SOURWINE, the Chief Counsel of the Subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23. Mr. SOURWINE voluntarily informed me that there were contradictions in my testimony and the testimony of Mr. REILLY. He offered to let me read the stenographic transcripts of Mr. REILLY's testimony and upon doing so he said I should give him a memorandum that would answer point by point all of the instances in which I felt Mr. REILLY's testimony was inaccurate or untrue. After carefully reading the transcripts of Mr. REILLY's testimony I

was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits which I shall identify below, and I furnished a copy of this memorandum to Mr. SOURWINE together with copies of the exhibits mentioned therein. This memorandum was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. REILLY in my future appearance before the Committee which had already been made known to me.

"At this point I would like to state for the record that what particularly concerned me in regard to Mr. REILLY's testimony was that he made statements to the Subcommittee concerning my personal character and performance. As a knowledgeable and experienced career civil servant, I know that one's superior owes one primary duty especially to his subordinate. That is: if the subordinate's performance is or has been deficient that subordinate should first be so told by the superior. The superior should not derogate the employee's performance before a legislative body or any organization outside the employee's place of employment without fulfilling his first duty to his subordinate. Mr. REILLY never expressed to me his dissatisfaction with my performance nor did he ever let me know that he had anything but a favorable opinion concerning my character. However, neither Mr. REILLY nor his predecessor has given me an annual efficiency report as required by the Department's regulations since October, 1960, almost three years. Not only did I request such efficiency reports from Mr. REILLY but I succinctly informed his Executive Officer on several occasions that these reports were long overdue. Mr. REILLY, of course, is entitled to his explanations for this delinquency.

The fact is I still do not have any efficiency reports for those three years. Furthermore, I wish this record to bear out that my whole history of performance in the Department of State reflects not only the most satisfactory comment by those officers who have rated me but that prior to my entering on duty in the Department of State in June, 1953, I was the recipient for six successive years preceding my appointment to the Department of State of "Excellent" efficiency ratings. Such an adjective rating was the highest attainable.

"In considering the request made to my by Mr. SOURWINE to identify inaccuracies or untrue statements by Mr. REILLY, I was already cognizant of the following provision in Section 652, Title 5, of the United States Code. This is a law enacted by the United States Congress. It reads as follows:

'The right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress or any member thereof or to furnish information to either house of Congress or to any Committee or member thereof shall not be denied or interfered with.'

"It was my honest belief and conviction in the light of contradictions in the record of the Senate Internal Security Subcommittee that I should support my refutation of Mr. REILLY's statements concerning me with such necessary information as would establish that my own statements were truthful and accurate. I carefully observed in the transcript of Mr. REILLY's testimony that he had entered selected documents into the record relating to me.

"The documents herein involved which were furnished by me to the Chief Counsel of the Senate Committee on the Judiciary as an appendage to my prepared written comments are as follows:

"Exhibit 1

"(1) A memorandum dated January 27, 1963, for [] OIA, from HARLAN CLEVELAND, IO, on the subject of 'Loyalty Investigations of United States Citizens Employed by International Organizations.'

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"(2) Routing slip dated February 4, 1963, of Department of State to Mr. OTEPKA from Mr. JOHN F. REILLY on the subject of 'Loyalty Investigations of United States Citizens Employed by International Organizations' with the notation 'Would you look into this please and may I have your views by Feb. 8?'

"(3) One page memorandum to Mr. REILLY from Mr. OTEPKA dated February 8, 1963.

"Exhibit 2

"(1) Thirty-two page document entitled 'Staffing International Organizations, A Report of the Advisory Committee on Management Improvement to the Assistant Secretary of State for International Organization Affairs' dated March, 1963. A three-page cover memorandum to this document is also attached and which bears the title of 'Staffing International Organizations, Summary of Recommendations.'

"(2) Five page memorandum dated September 10, 1962, from Mr. OTEPKA to Mr. REILLY on the subject of []

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[REDACTED] MARSHALL
D. SHULMAN; [REDACTED] ERNEST GROSS; HARDING
BANCROFT; SOL LINOWITZ.' This document bears
a classification of 'Secret' but with a stamped
notation at the bottom stating that the document
would be considered 'Confidential' upon removal
of attachment. At the conclusion of the fifth
page there is a notation that the attachments
were 'tabs A, B, C and D.' These attachments
were not furnished to SOURWINE. Attached to
this document at the conclusion is a one page
memorandum dated September 17, 1962, from Mr.
REILLY to [REDACTED] on the subject 'Processing
of Appointments of Members of the Advisory
Committee on International Organization Staffing'
classified 'Confidential.'

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"Exhibit 3

"(1) Thirty-six page document entitled
'Staffing International Organizations, A Report
of the Advisory Committee on International
Organizations,' published by the Department of
State, Washington, D. C., April 22, 1963 (a
public document). Attached to this document
are Appendices I and II consisting of six
pages.

"(2) Routing slip from [REDACTED]
to OTEPKA dated May 13, 1963. Attached to
this routing slip is a one page memorandum
dated May 6, 1963, to Mr. REILLY from [REDACTED]
[REDACTED] on the subject 'Staffing International
Organizations - A Report of the Advisory Com-
mittee on International Organizations'

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"(3) Undated routing slip from
BELISLE to OTEPKA. Attached to this routing
slip is a three page memorandum from Mr.
JOHN F. REILLY to [REDACTED] on the
subject 'Processing of Appointments of Members
of the Advisory Committee on International
Organization Staffing.' This three page
memorandum bears a stamped security classifi-
cation of 'Confidential.'

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"(4) One page memorandum dated August 7, 1962, to [redacted], to attention of Mrs. SOLVIG with copy for Mr. OTEPKA, captioned 'Request for Waiver, Advisory Committee on International Staffing.'

[redacted] MARSHALL D. SHULMAN. [redacted]

[redacted] HARDING BANCROFT, [redacted]

[redacted] This was a nonclassified memorandum with two attached routing slips; one dated September 13, 1962, from OTEPKA to [redacted] and to Mr. REILLY. The other routing slip was from [redacted] to OTEPKA, addressed to 'OTTO,' dated September 11, 1962.

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"(5) One page memorandum dated May 14, 1963, to [redacted] from Mr. OTEPKA. The memorandum indicates there is an attachment of 'Report of the Advisory Committee on International Organizations.'

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"Exhibit 4

"(1) Memorandum dated April 5, 1962, from Mr. OTEPKA to [redacted] on the subject 'Reorganization' consisting of three pages.

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"(2) Memorandum dated April 9, 1962, from OTEPKA to [redacted] entitled 'Reorganization.'

"(3) One page memorandum dated April 13, 1962, from OTEPKA to [redacted] on subject 'Reorganization.'

"Exhibit 5

"(1) One page memorandum dated August 31, 1960, on subject 'Use of Short Form Investigative Reports in Certain Applicant Cases' marked 'Official Use Only.'

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"(2) Two page memorandum dated June 15, 1960, to [redacted] from ASA L. EVANS on the subject 'Proposal to Reduce Investigative Backlog' marked 'Official Use Only.'

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"(3) Two page memorandum dated June 6, 1960, to [redacted] from ASA [redacted] on subject 'Proposal to Reduce Investigative Backlog' marked 'Official Use Only.'

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"(4) Copy of Department of State investigative report dated May 27, 1960, at Chicago, Illinois, on [redacted] marked 'Official Use Only.'

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"(5) Two page Department of State investigative report dated May 27, 1960, on [redacted] marked 'Official Use Only.'

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"(6) Two page Department of State investigative report May 27, 1962, at Chicago, on 'JOAN MAE FOGLTANZ' marked 'Official Use Only.'

"(Items 4, 5 and 6 of Exhibit 5 are wholly favorable reports which were attached to the memorandum dated June 6, 1960, and were mentioned by the author of that memorandum as an example of extraneous long form reporting)

"Exhibit 6

"(1) Two page memorandum dated October 31, 1962, from Mr. REILLY to Mr. [redacted] Mr. OTTO F. OTEPKA; and Mr. JOHN T. NOONAN, captioned 'Change in Procedure for Preparation of Investigative Reports and Granting of Clearances.' The bottom of this memorandum contains a date stamp of Office of Security, Division of Evaluations, November 1, 1962.

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WFO 65-9038

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"Exhibit 7

"(1) Seven page Multilith memorandum dated January 16, 1963, from [redacted] to [redacted] on the subject 'Urgent Personnel Actions Pending in SY.'

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"Exhibit 8

"(1) One page memorandum dated May 3, 1962, from [redacted] to [redacted] on the subject of 'Assignments to Advanced Career Training.'

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"Exhibit 9

"(1) A letter dated May 16, 1962, to Mr. OTEPKA from Mr. JOHN ORDWAY, Chief, Personnel Operations Division, Department of State, regarding the appointment of Mr. OTEPKA to the National War College.

"Exhibit 10

"(1) Copy of a letter to Mr. OTEPKA dated June 1, 1962, from Lieutenant General FRANCIS H. GRISWOLD, Commandant of the National War College, Washington, D. C., congratulating him on his designation for attendance at the college.

"Exhibit 11

"(1) Final Security Clearance Form (blue).

"(2) Notification of Emergency Interim Security Clearance 180 days. (yellow)

"(3) Notification of Emergency Security Clearance 90 days (white).

"Exhibit 12

"(1) Copy of a memorandum dated June 6, 1960, to [redacted] from [redacted] on the subject 'Assignment of CHARLES W. LYONS to SY/E' marked 'Limited Official Use.'

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"(2) Copy of efficiency report of CARL L. BOCK prepared by CHARLES W. LYONS, Deputy Chief, Division of Evaluations, covering period of November 16, 1960, to September 30, 1961. This consists of a four page form number FS315 along with three pages of narrative comment.

"(3) A three page memorandum dated March 30, 1962, from OTEPKA to WILLIAM O. BOSWELL captioned 'CHARLES W. LYONS, FSO-4, Chief, Personnel Security Branch, SY/E.'

"(4) Memorandum dated June 8, 1960, from [redacted] captioned 'Assignment of CHARLES W. LYONS to SY/E', bearing notation at bottom of memorandum 'Limited Official Use.'

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"(5) Memorandum dated June 1, 1962, from [redacted] to Mr. OTEPKA captioned 'FSO and FSR Efficiency Reports.'

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"(6) Memorandum June 14, 1962, from OTEPKA to [redacted] captioned 'Efficiency Report for CHARLES W. LYONS.'

"Exhibit 13

"(1) Undated memorandum consisting of one page captioned 'Emergency Security Clearances' bearing stamped notation 'Official Use Only.' To this was attached a routing slip addressed to [redacted]

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"Additionally to the above described documents, Mr. BYRNES showed me the following documents and requested my statement with respect to each as to whether I had furnished any such document to Mr. SOURWINE. It was stated to me that some of the documents or purported documents were found in a burn bag located in my office. For the record, this burn bag is not in my immediate office but is located in the reception room occupied by my secretary, [REDACTED]. In response to questions of Mr. BYRNES, I hereby positively and unequivocally deny that I furnished any of the following documents to Mr. SOURWINE or that I furnished any such document to any person except an employee of the Division of Evaluations or of the Office of Security.

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"One page memorandum dated May 20, 1963, from Mr. OTEPKA to [REDACTED] relating to [REDACTED]

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"One page memorandum dated December 5, 1961, from [REDACTED] to Security Office file regarding [REDACTED]

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b7C

"One page memorandum dated May 8, 1963, from HARLAN CLEVELAND to Mr. REILLY on the subject [REDACTED]

"One page memorandum dated June 3, 1963, from [REDACTED] to [REDACTED] on subject 'Weekly Activities Report.'

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"One page letter from [REDACTED] to Mr. GLENN WOLFE, Director, Office of Cultural Presentations, Department of State.

"Two page memorandum bearing caption 'Enclosure for the Deputy Assistant Secretary for Security' and containing in the upper right hand corner the notation 'RES Alexander Inspection, Rpt. Sept. 26 - Oct. at Cairo.'

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"Three page memorandum from [redacted]
[redacted] on subject 'Pan American Union, Security Information Re Employees -- Request for Ascertaining Facts and Evaluation.'

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"Three page memorandum bearing title 'Procedure for Reviewing and Disposing of Adverse Information on Employees of International Organizations Dealing with Inter-American Affairs.'

"One page memorandum bearing title of 'Evaluations of Adverse Information of Certain Employees of International Organizations Dealing with Inter-American Matters.'

"Two page memorandum dated May 3, 1963, from JOHN NOONAN to [redacted] on subject 'Security Meeting.'

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"Two page memorandum dated May 23, 1963, from [redacted] to Mr. OTTO F. OTEPKA on subject 'Evaluative Services to ARA and OIA.'

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"Four page memorandum for Mr. MC GEORGE BUNDY of the White House dated January 28, 1963, over signature of the Executive Secretary of the Department of State, [redacted] on the subject 'The President's Inquiry Concerning Communists on the Staff of International Organizations Dealing with Inter-American Affairs.'

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"One page of FBI report on HARLAN CLEVELAND prepared by Special Agent WILLIAM H. ATKINSON at Washington, D. C.

"I have not furnished any FBI report or portions thereof to Mr. SOURWINE.

"I have never at any time committed, nor shall I ever commit any offense knowingly injurious to my country.

"I am an American. I was born an American. I will live an American. I shall die an American. No man can suffer too much and no man can fall too soon, if he suffer or if he fall in the defense of the liberties and constitution of his country. To me, loyalty to the highest moral principles and to my country are paramount. They shall always be above loyalty to any party, to any person or to any government department. However, I believe I have not and I will not knowingly violate any public trust. In carrying out my assigned duties I feel that I have always respected and carried out the commands of my superiors.

"It is my desire that this matter be judged by prudent men only on the basis of the whole record of my Federal service and the testimony I have given, and others have given, with respect to the incidents alleged. I sincerely always have believed that he who has truth on his side is a fool and a coward if he fails to own it because of other men's opinions.

"In regard to the allegation that I furnished classified data to an unauthorized person, it is an established fact that the Senate Committee on the Judiciary and its Internal Security Subcommittee is empowered to investigate and legislate to assure that there is adequate protection at all times of the internal security of the United States. It is also known that the Senators who comprise the Committee, together with its Chief Counsel, are loyal and patriotic Americans who have many times been entrusted with data relating to the defense of the United States and the operations of the Department. These are men of unimpeachable trustworthiness whose authority to have access to classified information of the United States Government truly

cannot be questioned. It seems they must have such access to legislate. Furthermore the Committee affords protection to information obtained by its proceedings and to its witnesses by conducting its proceedings in Executive (closed) sessions. The Committee itself classifies the written record of its Executive sessions. I have been informed that information obtained in Executive sessions is not released without agreement of the full committee and the executive department involved is consulted before any decision is reached.

"I have testified in Executive sessions and the information I furnished was given only in direct relationship to my testimony. The whole record of my statements was classified by the Committee as 'Confidential.' I have not in any sense ignored that classification. I am at a loss to understand therefore as to who is the 'unauthorized person.' I would find it incredible to believe that the Chief Counsel of the United States Senate Committee on the Judiciary is such a person within the purview of some law that I am alleged to have violated.

"I have read this statement consisting of eighteen which, except for the first paragraph and this last paragraph, was dictated by me. It is true and correct to the best of my recollection. I have initialed each page and all corrections and sign my name below.

"/s/ OTTO F. OTEPKA

"Witness:

ROBERT C. BYRNES, Special Agent, FBI, Washington,
D. C. 8/16/63
CARL E. GRAHAM, Special Agent, FBI, Wash. D. C.
8/16/63"

With regard to the above statement, Mr. OTEPKA was specifically questioned as to whether he had asked for or received authorization at any time to furnish

the material to Mr. SOURWINE which he admitted having done. OTEPKA stated that he did not feel it was necessary to answer specifically to this question as to whether permission or authorization had been obtained by him and that he considered his statement was sufficient answer to this question.

During this interview the first page of a FBI report which was previously recovered from the "burn bag" located in the office of OTEPKA which was entitled "HARLAN CLEVELAND," was exhibited to Mr. OTEPKA. Mr. OTEPKA stated that he specifically recalled having the first three pages of this report reproduced by his secretary. He was of the opinion that two or three runs were necessary in order to obtain a legible copy of these pages. OTEPKA stated that he intended to use these pages, and had used them, inasmuch as they reflected information to the effect that CLEVELAND during previous government employment had attempted to place several individuals in the government who had some subversive, derogatory information. OTEPKA stated that his purpose in using this material was to have a ready reference to check newly hired employees to determine if Mr. CLEVELAND was continuing in his efforts to have these individuals employed in USDS. OTEPKA denied that he had ever furnished the FBI report regarding CLEVELAND, or any portions thereof, to SOURWINE or any other individual outside USDS. He also commented that it was common practice in USDS to reproduce portions of FBI reports, or reports of other agencies, in order to have a complete file on various individuals.

With regard to the rough draft memorandum which he furnished to Mr. SOURWINE containing his comments on the testimony of Mr. JOHN F. REILLY, OTEPKA stated that this consisted of about 39 or 40 pages and that it was his recollection that he prepared this material during the weekend of [redacted] He recalled that he had furnished [redacted] [redacted] with a handwritten rough draft of his response to the testimony of Mr. REILLY instructing that she prepare an original and one copy, doubled spaced, of

WFO 65-9038

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all this material. On completion of this typing he furnished the typed rough draft as well as all enclosures to SOURWINE. However, on further recollection he believed that he had furnished one of the attachments to SOURWINE personally, possibly around May 23, 1963. OTEPKA stated that no one else was present when he delivered this material to SOURWINE.

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 83

Page 9 ~ Referral/Direct
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Page 263 ~ Duplicate

PLAINTEXT

3/28/69

TELETYPE

URGENT

TO SACS WASHINGTON FIELD ~~ENC. (4) (BSM)~~
ST. LOUIS
BALTIMORE

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FROM DIRECTOR FBI

VIA TELETYPE

MAR 28 1969

ENCIPHERED

MAR 28 1969

TELETYPE

OTTO FRED OTEPKA, SPECIAL INQUIRY, BUDED APRIL FOUR, NEXT,
WITHOUT FAIL. *Otto F. Otepk*

WHITE HOUSE HAS REQUESTED INVESTIGATION OF OTEPKA WHO HAS
BEEN DESIGNATED A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL
BOARD.

BORN MAY SIX, NINETEEN FIFTEEN, CHICAGO, ILLINOIS, AND
RESIDES ONE EIGHT THREE TWO ARCOLA AVENUE, SILVER SPRING,
MARYLAND. HE IS MARRIED TO THE FORMER EDITH SIMON AND HAS ONE
DAUGHTER.

EMPLOYED CIVILIAN CONSERVATION CORPS NINETEEN THIRTYFOUR TO
NINETEEN THIRTYSIX. FROM NINETEEN THIRTYSIX TO NINETEEN
THIRTYNINE EMPLOYED BY FARM CREDIT ADMINISTRATION. NINETEEN
THIRTYNINE TO NINETEEN FORTYTWO BUREAU OF INTERNAL REVENUE.

FROM NINETEEN FORTYTWO TO NINETEEN FIFTYTHREE, EXCEPT FOR
PERIOD OF MILITARY SERVICE IN U.S. NAVY FROM NINETEEN FORTYTHREE

TO NINETEEN FORTYSIX, EMPLOYED AS INVESTIGATOR AND CONSULTANT
BY CSC.

25 APR 1 1969

NOTE: Request received today from White House.

DHY: pnh

54 MAY 13 1969

RETURN TO MR. YOUNG, ROOM 1258.

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TELETYPE TO WASHINGTON FIELD
RE: OTTO FRED OTEPKA

FROM NINETEEN FIFTYTHREE TO NINETEEN SIXTYTHREE HE WAS
EMPLOYED BY DEPARTMENT OF STATE.

IN NINETEEN SIXTYTHREE OTEPKA WAS SUSPENDED FROM HIS
POSITION AT STATE FOR ALLEGEDLY FURNISHING CLASSIFIED
INFORMATION TO SENATE INTERNAL SECURITY SUBCOMMITTEE. THIS
CASE HAS BEEN EXTENSIVELY REPORTED IN THE NEWSPAPER AND HAS
BEEN THE SUBJECT OF CIVIL SERVICE HEARINGS, CONGRESSIONAL
HEARINGS, AND STATE DEPARTMENT HEARINGS. THE MATTER WAS ALSO
INVESTIGATED BY THE BUREAU UNDER ESPIONAGE AND THEFT OF
GOVERNMENT PROPERTY CAPTIONS.

YOU SHOULD CONFINE THE SPECIAL INQUIRY IN THIS CASE TO
DETERMINING THE CHARACTER, LOYALTY, GENERAL STANDING, AND
ABILITY OF OTEPKA. IT IS NOT DESIRED THAT THE INVESTIGATION GO
OFF ON A TANGENT TO INCLUDE ALL OF THE ACTION THAT HAS
TRANSPIRED IN CONNECTION WITH OTEPKA'S DEALINGS WITH THE
SENATE INTERNAL SECURITY SUBCOMMITTEE AND RELATED MATTERS.

DUE TO URGENT NATURE OF REQUEST IT IS IMPERATIVE BUDED
BE MET WITHOUT FAIL. NO DELAY WILL BE TOLERATED.

SPIN.

THE WHITE HOUSE
Washington

MEMORANDUM

DATE March 26, 1969

TO : Mr. Cartha D. DeLoach, FBI
FROM : John D. Ehrlichman
SUBJECT : FBI Investigation

Subject's Name OTEPKA, OTTO FRED

Date of Birth 5/6/15 Place of Birth Chicago, Illinois

Present Address Silver Springs, Maryland

Egil Krogh has requested:

- ☐ Copy of Previous Report
☐ Name Check
☒ Full Field Investigation

The person named above is being considered for:

- ☐ White House staff position
☒ Presidential appointment
☐ Position with another Agency

ATTACHMENTS:

- ☐ SF 86 (in duplicate)
☐ SF 87, Fingerprint Card
☒ Biography

REMARKS:

REPORT SHOULD BE DELIVERED BY FBI TO: JOHN D. EHRLICHMAN

161-6231
ENCLOSURE

FOR IMMEDIATE RELEASE

MARCH 19, 1969

Office of the White House Press Secretary

THE WHITE HOUSE

The President today announced his intention to nominate Otto F. Otepka of Wheaton, Maryland as a member of the Subversive Activities Control Board.

Otepka was born in 1915 in Chicago, Illinois. He joined the government as a member of the Civilian Conservation Corps in 1934. From 1936 - 1939 he worked as a clerk in the Farm Credit Administration, then transferred to the Bureau of Internal Revenue where he worked until 1942. He worked as an investigator for the Civil Service Commission from 1942 to 1943 and from 1946 to 1947, and as a technical consultant for the Civil Service Commission from 1947 to 1953. Otepka served in the Navy from 1943 to 1946.

Entering the Department of State in June 1953 as an evaluator in the Office of Security, Otepka became Acting Chief of the Division of Evaluations in August of 1953 and Chief of the Division in April 1954. In April 1957 he was named Deputy Director of the Office of Security. In 1962, he again became Chief of the Division of Evaluations.

He is a graduate of Catholic University and is married to the former Edith Simon. They have one daughter.

#####

161- 6231 - 1
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (

) DATE: 4/16/69

FROM : SAC, WFO (161-5685)

SUBJECT:

Otto Fred Otepka, aka
SPISOG ACTION:
(Records Branch)☐ Post and destroy
☐ File

Re WFO airtel 4/9/69

This case will be delinquent.

Date of Bureau deadline: 4/4/69

Reason for the delinquency:

Passport out. State Dept.
requested to expedite their Passport check.

Date the report or necessary communication will reach the Bureau: 4/23/69

AEC zone designation; e.g., OR, CH, etc.:
(This applies only to 116 cases.)☒ No administrative action necessary.

JER

9-NE

Federal Bureau of Investigation
Records Branch

3 - 31, 1969

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☒ Return to EGAN 7638
 Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject OTEPKA OTTO FREDBirthdate & Place 5-6-15 ILLAddress SILVER SPRING, MD.

Localities _____

R# _____ Date 3-31 Searcher Initials Rum

Prod. _____

	FILE NUMBER	SERIAL
	NR	
	OTTO F.	
x	65-68266	
x	140-32795	NP
x	65-68266-99	SUMM 3-13-69
x	62-39749-29	Xp 1328
		- 3139 Xp 212, 213
+	65-68266-62	Xp 151
		- 66 Xp 423-464
		488-489
		541-516
		522-541
		546-576
		- 67 Xp 347-359
		342-344
		376, 378
		- 68 Xp 765
		- 69 Xp 587

(Continued)

NUMEROUS REFERENCE

SEARCH SLIP

Subj: OTEPKA, OTTO FRED

Supervisor _____ Room _____

R# _____ Date 3-31 Searcher Initial Rum

Prod. _____

FILE NUMBER

SERIAL

(Continued)

OTTO F

✓ 65-68266-81 Ep 1699-1806

x 62-88217-2833 NP

-291 Ep 1957,

1958,

1961-1968,

1970, 1971,

1983, 1985,

1989, 1991,

1992, 1994,

1996, 1999

2000, 2003,

2005,

2007-2009

+ 65-68266-71 Ep 951-969,

974-975

1003-1009

-73 Ep 1143

-74

-79

x 140-22779-402 Ep 30

all the preceding except

MF'S SUMM ARE TESTIMONY CARDS

(CONTINUED)

3
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SEARCH SLIP

Subj: OTEPKA, OTTO FREDSupervisor _____ Room _____
Searcher _____R# _____ Date 3-31 Initial Rur

Prod. _____

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236

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1795, 1796

1797, 1800

1809, 1810

1825, 1834

1836, 1840

1841

-2931 Ep 1709-

1711, 1739

1740, 1744

1750, 1760

1762, 1765

1766, 1768

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+ 65-68266-74 Ep 1325

-75 Ep 1242

[Redacted]

X 140-22111-1

(Continued)

NUMEROUS REFERENCE

SEARCH SLIP

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OTEPKA, OTTO FRED

Supervisor

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3-31

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Prod.

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62-39749-2857

-2858 Ep 130

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X 62-88217-2870

X 65-68266-79

140-22779-383 Ep

The above 10-190
are TESTIMONY CARDS

62-39749-2889 ND

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-2936 Ep 1295

A WASH. CAP. ND
12-14-61

X 62-90938-485 ND

-487 ND

X 62-101916-285299-300

ND 321, 323, 324

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FUNDX ~~62-110060~~ NP

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Tolson _____
 DeLoach _____
 Mohr _____
 Bishop _____
 Casper _____

The Washington Merry-Go-Round

Neo-Nazis Plan Press Ethics Unit

By Drew Pearson
 and Jack Anderson

One of the most significant operations of the secret neo-Nazi movement in the United States is a plan to establish a press ethics committee to rate newspapermen and broadcasters and to censure those who embarrass "the movement."

Director of this committee is Frank Kluckhohn, who has been close to Willis Carto, chief mainspring of the neo-Nazi underground and organizer of the Liberty Lobby. Carto helped raise \$90,000 which was distributed to conservative Congressional candidates last year.

Chief danger of this underground is its influence with a long list of Congressmen to whom it contributed heavily.

One of those enlisted was the sonorous, oratorical, naive Sen. Everett McKinley Dirksen of Illinois, Republican Leader in the Senate, who has played directly into the hands of the underground.

Dirksen did exactly what Kluckhohn and the Liberty Lobby have been hoping to do, by attacking the New York Times and its reporter, Neil Sheehan, for digging into the manner in which Otto Otepka raised the money to pay his attorney, Roger Robb, plus other defense expenses in his battle against the State Department. The Department, under Dean Rusk, had dropped Otepka for leaking classified information

on Walt Rostow and others to Sen. Tom Dodd (D-Conn.). Rostow was the National Security Adviser to Presidents Kennedy and Johnson.

President Nixon has now promoted Otepka from his former \$14,000 job in the State Department to a \$36,000 job on the Subversive Activities Control Board. By so doing, Mr. Nixon rebuffed his own Secretary of State, William P. Rogers, who refused to reinstate Otepka. Robb, Otepka's attorney, has been promoted by Mr. Nixon to the U.S. Court of Appeals, one of the most important judicial appointments in the nation.

Persecuting N.Y. Times

When the New York Times dug into the John Birch Society and other right-wing sources from which Otepka had raised his legal defense fund, Sen. Dirksen took the unusual step of denouncing the Times, and threatened to denounce on the floor of the Senate the reporter who wrote the story. It was the New York Times, incidentally, which fired Kluckhohn. And it was Dirksen who urged President Johnson to save the Subversive Activities Control Board, to which Otepka has now been appointed.

What the New York Times did was a straight piece of reporting, which every newspaper has a right and obligation to do in order to keep the public informed. Reporter Sheehan showed how Otepka had

been palsy-walsy with the John Birch Society and had raised at least \$22,000 from its members or its fronts.

Sheehan queried Otepka about these activities. He declined to discuss them.

Though the Times did a thorough job of probing Otepka's ties with the John Birch Society, it did not go into the equally significant manner in which the Liberty Lobby and the neo-Nazi movement has backed Otepka.

Stifling News Criticism

If Sen. Dirksen's angry blast at the New York Times stands as a precedent, it means that newspapers cannot report on the activities of a presidential appointee facing Senate confirmation without risk of being attacked in the Senate. This is exactly what Willis Carto and Frank Kluckhohn, with their press ethics committee, are trying to accomplish. They want to hamstring critical comment by newspapers.

For instance, the Abilene Reporter-News in Texas recently exposed the John Birch Society connections of certain candidates running for mayor and city council of Abilene. The background of these candidates was relatively unknown to the electorate prior to the Abilene Reporter-News expose. As a result of the newspaper's enterprise, the Birchite slate was badly defeated.

Frank Kluckhohn, the man who would head the proposed press ethics committee, had a spectacular career as a New York Times correspondent, being jailed by the British in Africa, arrested and deported by President Peron of Argentina. U.S. Ambassador George Messersmith in Buenos Aires sent a 20-page report to the State Department after the Argentine incident, calling Kluckhohn irresponsible and unbalanced.

Dropped by the New York Times, Kluckhohn got a job under John Foster Dulles in the State Department, later switched to the Republican National Committee, where he worked for four years.

While working for the Republican National Committee Kluckhohn ghosted two of the most scurrilous of the anti-Johnson books—"The Inside on LBJ" and "Lyndon's Legacy." Though the Republican National Committee steadfastly denied it had any connection with these smear books, the committee's vouchers for July 1964 showed a \$1000 payment to Frank Kluckhohn. Kluckhohn collected another \$1000 from the right-wing "Americans for Constitutional Action."

This is the man whom the neo-Nazi underground proposes to put in charge of a press ethics committee to pass judgment on what should or should not be published.

© 1969, Bell-McClure Syndicate, Inc.

The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Examiner (Washington) _____
 Page D-17

Date April 25, 1969

161-6231-A

NOT RECORDED
 2 APR 30 1969

51 MAY 1 1969

file 161-6231
 9-MAY-69

4149

By MARY McGRORY

Two Faces of Everett Dirksen

It has to be said of Senate Minority Leader Everett McKinley Dirksen that if he gets after his enemies, he looks after his friends.

Within the last month, he has demonstrated both sides of his mercurial nature.

Several weeks ago, he was taking poor Clifford Alexander, chairman of the Equal Employment Opportunities Commission, over the coals for showing too much zeal in harassing "job-givers" who had gentlemen's agreements with the undersecretary of defense.

Then, last Tuesday, the minority leader was demonstrating that he has no prejudice against zeal as such. He was, in the role of chaperon and chief witness, cooing the praises of Otto Otepka, the controversial ousted former State Department security evaluator, who has been named by President Nixon to be a member of the Subversive Activities Control Board.

It was just that Alexander is a Democrat and nothing to him, and Otepka is a Republican and a friend. And the way Dirksen told the story, Otepka got in hot water for serving as an informer to the Senate Judiciary Committee, of which Dirksen is a ranking member.

While diligence can be deplored in a man overseeing the employment practices of large southern firms receiving government contracts, a security officer who is, amid harassments that Dirksen could hardly bring himself to relate, a man protecting the republic against snoopers, leakers and questionable characters, cannot go too far.

Among Otepka's feats — although how this related to the security of the nation was not clear — was to run to earth the wretch who leaked the se-

cret report on America's declining prestige, which John F. Kennedy used to some effect in the campaign of 1960.

The vindication of the Dreyfus of the right wing brought from Dirksen a bravura performance in a period monologue. His audience, composed of Otepka fans, was plunged back 15 years to the days when Otepka's friend and ally, the late Sen. Joseph R. McCarthy, was running Washington.

The old phrases, robbed of their terror, fell from his lips — "an adverse report from the Air Force on Walt Rostow," and "52 violations of security risk procedures," and "25 violations of 'for official use only' documents."

There was a knowledgeable reference to a "burn-bag" and a gasping aside — "Who is to say that burn-bag wasn't loaded by somebody else?"

"Time after time," said Dirksen, approaching the climax of the sorry tale of many wrongs, "he was transferred, he was pressured, he was snubbed, he was ignored. He was a wreck."

In giving the documents — a purist might have said here that the wording was a trifle too Victorian — "about a certain person" to the Internal Security subcommittee, Otepka had followed a higher law. For who can say that a mere executive order of a president should prevail over a statute, particularly when Otepka had invoked Section 625-B of the code in slipping the documents to the committee?

After this gripping mood piece, the appearance of the martyr himself was something of an anti-climax. Otepka, a man of medium height, is rather like a house detective, alert but a little obsequious. His language could not have

accounted for his many troubles. He talks the prose of the insurance investigator's report.

He was asked exactly two questions by the sympathetic senators of the committee, John McClellan, chairman, James O. Eastland and Roman Hruska, who agree with Dirksen that he has suffered enough. The "hearing" lasted a total of two minutes.

Dirksen has not only protected Otepka; he has preserved the agency he is to go to. The SACB had fallen into disrepute a while back when someone noticed that it did not do anything and was, in fact, forbidden by the Supreme Court to lift a hand. Dirksen, who likes to crusade for the bizarre, singlehandedly saved its life. Now Otepka, fully vindicated, is going to be safely tucked into a \$36,000-a-year job.

John Mitchell, an attorney general with a wry and somewhat cynical humor, promised that SACB would have its hands full looking over records of hard-core student agitators which he proposed to send over.

Harvard, of course, is currently exploding, and if Otepka is sent there to comb out the various subversive factions boiling through the Yard, he will be occupied for life.

The story should end on that happy note. A wrong righted, justice done. But, alas, the New York Times, displaying zeal of the kind that Dirksen found so reprehensible in the case of Alexander, has dug up facts showing that Otepka's defense fund had been raised by John Birchites.

Dirksen promptly labeled the report "a smear." But it does smirch the happy ending a bit. Not that anybody would worry for long about a watchdog who has the minority leader for a watchdog.

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The Daily World _____
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The Wall Street Journal _____
The National Observer _____
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The Washington Merry-Go-Round

Liberty Lobby Carries Weight on Hill

By Drew Pearson
 and Jack Anderson

Nobody in Washington would take seriously the small neo-Nazi movement headed by Willis Carto and his front, the Liberty Lobby, were it not for the long list of Congressmen who are in their debt, thanks to campaign contributions.

Today in Washington the Liberty Lobby, thanks to its influence in Congress, has been getting some unpublicized results. Its most important triumph is the promotion of Otto Otepka, last remnant of Joe McCarthy's era in the State Department, to a \$36,000 job on the Subversive Activities Control Board. Equally important was the nomination of Otepka's vigorous, right-wing attorney, Roger Robb, to the U.S. Court of Appeals.

It was the persistent cross-examination by Robb of State Department officials, plus the persistent campaign of the Liberty Lobby, plus help from the John Birch Society, which led to Otepka's promotion from the \$14,000 State Department security job, from which he was dropped, to the job on the subversion board at over twice his previous salary.

The facts in the case are extremely important. Otepka got into trouble with Secretary of State Dean Rusk when he took classified papers to Sen. Tom Dodd of Connecticut, later censured by the Senate when

his own files were copied by his employees.

The classified papers which Otepka gave Dodd pertained to the security clearance of several officials, the most important being Walt Whitman Rostow, the MIT professor who became President Kennedy's national security adviser. Rostow's father was a socialist who during World War I so admired socialist leader Eugene Debs that he named one son Eugene Debs Rostow, the other Walt Whitman Rostow, in honor of the great liberal American poet.

Anti-Semitic Overtones

There were anti-Semitic overtones in Otepka's taking classified papers to Sen. Dodd, since Rostow is Jewish.

Rostow became one of the leading hawks of the Kennedy and Johnson Administrations. Many of his friends and associates are convinced that this was to prove he was not pro-Communist, as alleged by Otepka and the Liberty Lobby.

Lawyer Rewarded

Another triumph for the Liberty Lobby is the appointment of Otepka's attorney, Roger Robb, to the D.C. Court of Appeals, second highest court in the United States.

Robb served as attorney for the Atomic Energy Commission when it purged Dr. Robert Oppenheimer during the Joe McCarthy witch-hunting

days. He has represented various other spectacular right-wing or conflict-of-interest clients such as Fulton Lewis Jr., Sherman Adams, Bernard Goldfine and Air Force Secretary Harold Talbot.

Robb is an able, vigorous lawyer. But what makes his appointment to a high court significant at a time when the Liberty Lobby and its leader, Willis Carto, are throwing their weight around is the fact that Robb has also been a power in the exclusive Barristers Club, Washington's only legal organization with a long record of barring Jews and Negroes.

Only one Jewish attorney, Allen Kay, has been admitted in the club's 40 years.

This happened only after Art Buchwald, the columnist, canceled a speech to the club four years ago when he learned they barred Jewish members. Following this, The Washington Post in 1965 and 1966 published two articles revealing that Jews and Negroes were barred.

A Post headline of Dec. 12, 1966, read: "The Barristers Club: Power and Prejudice. 245 Lawyers — All White Gentiles."

On July 13, 1965, the Post quoted club president Hugh R. H. Smith as saying that "there are Jews on the waiting list now." However, it took three years to get the one single Jewish lawyer elected in 1968.

Ten years before, Federal Judge Charles Fahy had re-

signed from the club in protest against its restrictive membership. He has long sat on the Court of Appeals which Robb will join—if confirmed by the Senate.

Robb, as an inner circle member of the Barristers Club, obviously was familiar with its discrimination policy. He probably did not know about the Nazi sympathies of Willis Carto, founder of the Liberty Lobby, prior to 1966. But in that year this column published the details regarding the Liberty Lobby's and Carto's philosophy, and as a result of a suit brought before the Court of Appeals—and won by this column—the details became familiar to the public, especially to D.C. lawyers.

It's doubtful that President Nixon knew much about the Liberty Lobby's background. The danger is that he deferred to such potent Senators as James Eastland, the big Mississippi cotton planter who is chairman of the Senate Judiciary Committee, and Tom Dodd, a member of the Committee.

Other Committee members who will vote on Robb's and Otepka's confirmations are: Phil Hart (Mich.), Edward Kennedy (Mass.), Birch Bayh (Ind.), Quentin Burdick (N.D.), Joseph Tydings, (Md.), all Democrats: Hiram Fong (Hawaii) and Hugh Scott (Pa.), Republicans.

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The Wall Street Journal _____

The National Observer _____

People's World _____

Examiner (Washington) _____

Page B-13

Date April 22, 1969

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2 APR 30 1969

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per [signature]
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UPI-70

(OTEPKA)

WASHINGTON--OTTO F. OTEPKA, A CONTROVERSIAL STATE DEPARTMENT OFFICIAL SUSPENDED FROM A SECURITY JOB BY FORMER SECRETARY OF STATE DEAN RUSK, WAS NAMED TODAY BY PRESIDENT NIXON TO A \$36,000 VACANCY ON THE SUBVERSIVE ACTIVITIES CONTROL BOARD (SACB).

OTEPKA, WHO FORMERLY WAS CHIEF OF THE DIVISION OF EVALUATIONS AT THE STATE DEPARTMENT, WAS PENALIZED BY RUSK FOR PROVIDING CERTAIN INFORMATION TO A SENATE COMMITTEE WITHOUT DEPARTMENT AUTHORIZATION.

THE PRESIDENT'S SELECTION OF OTEPKA FOR MEMBERSHIP ON THE SACB IS SUBJECT TO SENATE CONFIRMATION.

OTEPKA WAS NAMED TO A VACANCY CREATED BY THE DEATH OF A BOARD MEMBER, EDWARD C. SWEENEY. THE APPOINTMENT IS FOR THE REMAINDER OF SWEENEY'S TERM, ENDING AUGUST 9, 1970.

RUSK ORDERED OTEPKA FIRED IN 1963 BUT OTEPKA STAYED ON THE PAYROLL WHILE APPEALS DRAGGED ON THROUGH THE YEARS.

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WASHINGTON CAPITAL NEWS SERVICE

(Mount Clipping in Space Below)

—Bad Board Gets Bad Guy—

PRESIDENT NIXON had two rather untidy decisions to make last week: Should he appoint anyone to a post on the Subversive Activities Control Board (SACB)? And should he appoint Otto Fred Otepka, the discredited State Department security officer, to anything?

What he did was to combine the decisions and compound the bad aspects of each. He appointed Otepka to the Subversive Activities Control Board. He could not have done worse.

The SACB is a clumsy bit of administrative furniture left over from the Joe McCarthy era. It survived a controversial appointment by President Johnson last year only because Sen. Everett Dirksen couldn't bring himself to let it beliquidated. It has done almost nothing, but it is a symbol of the kind of witch-hunting that characterized McCarthy's heyday.

Now, Sen. Dirksen has apparently concluded that one period piece from the McCarthy days deserved another. He evidently persuaded Nixon to make this move.

Otepka was first recruited for security work by Scott McLeod, who ferreted out mythical security risks with great gusto (and with great damage to the State Department) during the early '50s. Otepka was fired from his job as chief security evaluator for the State Department when he leaked department files to Congress without authorization. The Civil Service Commission upheld Rusk's decision to remove Otepka, but ordered him simply demoted to a non-security job.

It is bad enough to have Otepka installed in a \$36,000 a year sinecure that does nothing. It would be even worse to have the Subversive Activities Control Board revived and sent off in hot pursuit of suspected subversives. Anything that can legitimately be done about subversion can be done by the FBI, the attorney general and the courts. A revived SACB would simply make mischief for the nation.

One way or the other, President Nixon has perpetrated a bad joke with this appointment.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
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Mr. Trotter _____
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Mr. Holmes _____
Miss Gandy _____

(Indicate page, name of newspaper, city and state.)

Page 6 A
Detroit FreePress
Detroit, Mich.

Date: 3/26/69

Edition:

Author:

Editor: Lee Hills

Title:

Character:

or

Classification:

Submitting Office: Detroit

☐ Being Investigated

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2 APR 30 1969

51 MAY 1 1969

April 14, 1969

161-6231-2

Mr. W. E. Ross, Jr.
7011 Santa Elena
Houston, Texas 77017

Dear Mr. Ross:

I have received your letter of April 5th and want to thank you for your kind comments concerning my administration of the FBI.

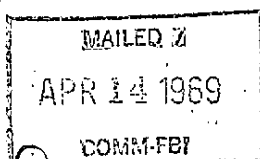
It is not possible for me to answer your inquiry since regulations of the Department of Justice preclude the disclosure of information from our files.

Sincerely yours,
J. Edgar Hoover

NOTE: Bufiles reveal W. E. Ross, Jr. wrote to the Bureau on 5/30/61 making favorable comments regarding the FBI and unfavorable comments concerning the late Senator Joseph Mc Carthy. He was thanked by letter 6/7/61.

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59 APR 29 1969
MAIL ROOM ☐ TELETYPE UNIT ☐

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Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

April 5, 1969

Mr. J. Edgar Hoover:

Dear Sir:

A word of thanks to you & your dept. for the fine service you have done for the U. S. during the many years.

In the evening paper there are two articles about the "extremist group," the John Birch Society. One article indicates that Otto Otepka may be deprived of his appointment to the Subversive Activities Board because he accepted some financial help from the John Birch Society to help pay his legal fees in his four year fight to win re-instatement for his old job in the State Department. He even associated with some of the John Birch activists. But in searching the papers & the Congressional Record, I have found no record of the arrest or investigation of members of this group. Why doesn't some dept., the F. B. I. or the House Committee on Unamerican Activities investigate & report on this organization.

Thanks again for your splendid career.

W. E. Ross Jr.
7811 Santa Elena
Houston Texas 77017

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ORIGINAL FILED IN 62-104401-3472

April 5, 1969

Mr. J. Edgar Hoover:

Dear sir: A word of thanks to you + your dept. for the fine service you have done for the U.S. during the many years.

In the evening paper there are two articles about the "extremist group", the John Birch Society. One article indicates that Otto Stepka may be deprived of his appointment ^{to the Subversive Activities Board} ~~as chief security evaluator of the State Dept.~~ because he accepted some financial help from the John Birch Society to help pay his legal fees in his four year fight to win re-instatement for his old job in the State Department. He even associated with some of the John Birch activists. But in searching the papers + the Congressional Record, I have found no record of the arrest or investigation of members of this group. Why doesn't some dept., the F.B.I. or the House Committee on Un-American Activities investigate + report on this organization?

Thanks again for your splendid career. W. Ross Jr. 7811 Santa Elena Houston Texas 77017

Mr. Tolson _____
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CORRESPONDENCE

W. E. Ross Jr.
7811 Santa Elena
Houston Texas 77017

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A correction for T.R.B.

ON Sept. 30 The News carried a column concerning me written under the pseudonym "T.R.B."

The writer said "Otto Otepka . . . was dismissed for leaking State Department documents to a congressional committee."

I was never dismissed from State Department employment. I was demoted and reassigned from my duties as a security officer in December, 1967, by then Secretary of State Dean Rusk.

I furnished two documents to the Senate Internal Security subcommittee in June, 1963, as proof that certain of my superiors had lied under oath to the subcommittee regarding me and State Department security procedures.

I supplied these documents, which were in my lawful possession, having been written by me, only on the subcommittee's request in order to resolve conflicting testimony about material facts.

My final and official notification of personnel action issued to me by the State Department on June 29, 1969 reads, under "Nature of Action" — "Separation-Appointment in Subversive Activities Control Board."

In the interest of fairness to me and as a public service to its readers, I ask that the Daily News print the foregoing facts and reveal the identity of my malapropist critic.

OTTO F. OTEPKA

Member Subversive Activities
Control Board

The Washington Post and _____
 Times Herald _____
 The Washington Daily News pg. 20
 The Washington Evening Star _____
 New York Daily News _____
 New York Herald Tribune _____
 New York Post _____
 The New York Times _____
 New York World Journal _____
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 Journal Tribune _____
 The Baltimore Sun _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
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The Washington Merry-Go-Round

THE WASHINGTON POST Friday, July 4, 1969

D13

Return of McCarthy Era Is Feared

By Drew Pearson

On July 4, 1951, during the Joseph McCarthy era, the Madison Capital Times in Wisconsin circulated a copy of the Declaration of Independence and the Bill of Rights in a Fourth of July crowd, seeking signatures.

Out of 112 people approached, only one would sign the two documents on which rest our basic freedoms.

Those who refused to sign called the documents "communistic" and remarked that the "FBI ought to check up on this sort of thing," or that "My family is with the Government and signing this might get them into trouble."

One man, reading Thomas Jefferson's stirring words, "Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it," remarked: "That sounds Russian to me."

Their refusal to sign was first due to ignorance, second to fear. Many had not taken the trouble to read the great words which founded the Republic.

The United States has come a long way from those days when the McCarthy Committee reached into the State Department to find out what books were on its shelves, and into the churches to plague certain bishops who did not agree with the late Senator from Wisconsin.

It has been 15 years since those days of fear and political persecution. Unfortunately, however, there are signs, faint at the moment but growing, that some of the fear of these McCarthy days is returning.

One sign is a private admission by the telephone company that it has received more requests from the Justice Department for wiretaps than ever before in history. There is also evidence that a small but persistent group of Americans is pushing the Nazi doctrine and preaching the idea that we made a mistake in fighting against Hitler.

Finally, there was the battle on the floor of the Senate last week over the confirmation of a product of the old McCarthy era, Otto Otepka, which ended by putting him on a board designed to sit in judgment on the loyalty of its fellow men, just as Joe McCarthy did back in the days when people were afraid to sign the Declaration of Independence and the Bill of Rights.

Senate Debate

The debate over the Senate's confirmation of Otepka is significant. It showed some well-meaning and usually enlightened Senators taking the same complacent view today that many Senators did during the beginning of McCarthyism.

Not so some of the old-timers who had lived through the McCarthy era. Clint Anderson (D-N.M.), Clifford Case (R-N.J.), William Fulbright (D-Ark.), Warren Magnuson (D-Wash.), Mike Mansfield (D-Mont.), Stuart Symington (D-Mo.), John Sherman Cooper (R-Ky.), Ed Muskie (D-Maine), Gene McCarthy (D-Minn.), George McGovern (D-S.D.), Henry Jackson (D-Wash.) and Ralph Yarborough (D-Tex.), together with many hard-hitting younger Senators, such as Ted Kennedy, Joe Tydings and Fred Harris of Oklahoma, voted to send the Otepka nomination back to committee.

So did Steve Young, elder statesman from Ohio, who delivered a ringing warning that: "It has been established beyond any possible doubt that the Liberty Lobby, headed by Willis Carto, whose fascist inclinations and associations have been well documented, was one of his (Otepka's) staunchest champions. That neo-Nazi lunatic group produced and distributed a film entitled, 'The Otepka Case.'"

Sen. Tom Eagleton, former Lieutenant Governor of Missouri, also warned: "Otepka was charged with violating a presidential directive of March 13, 1948 . . . I can't see how under the circumstances the Senate can now give its advice and consent to elevate

Mr. Otepka to a position of even higher prestige and power in the field of security."

Warned Charlie Goodell, New York Republican: "The Internal Security Act which created this board (on which Otepka is to serve) was enacted at the height of the Joseph McCarthy era. President Truman, with the full support of J. Edgar Hoover, recognized its dangers and vetoed it."

Despite these warnings, a majority of the Senate listened to Tom Dodd (D-Conn.), the Senate's No. 1 witch-hunter, or felt that a presidential appointment must be honored. They confirmed Otepka. Among the confirmers there were such intelligent Senators as Marlow Cook (R-Ky.), Charles McC. Mathias (R-Md.), Richard Schweiker (R-Pa.) and Jim Pearson (Kan.).

Joseph Borkin, whose book "The Corrupt Judge" helped pioneer a new code of ethics for judges, is out with a new book, "Robert R. Young—the Populist of Wall Street." Sen. Warren Magnuson (D-Wash.) calls it "one of the more important contributions to American business history." Sen. Tydings (D-Md.) calls it "a remarkably readable and potent book" . . . The Nation this week devotes most of its issue to an interview with Drew Pearson, featuring a lot of things I wish I'd left unsaid.

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Examiner (Washington)

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Otepka Gets His Job

IT required 38 pages of the Congressional Record (at a cost of something like \$110 a page) to print the final Senate debate on whether Otto F. Otepka should be confirmed as a member of the Subversive Activities Control Board.

Over the last six years, Mr. Otepka probably has caused as much political infighting in Washington as anybody in a long time.

For 25 years he was a reputable official of the State Department, rising in rank and winning commendations. Then he was accused of giving a Senate committee "confidential" information from State Department files, and that ended his career in that establishment.

So President Nixon appointed him to a \$36,000 job on the Subversive Activities Control Board which has had practically nothing to do for years. And isn't likely to have much to do.

Still, the Senate was in a tizzy over confirming the appointment. Senators of the "red-under-every-bed" school lauded Mr. Otepka as a great patriot and hero, and all the so-called "liberals" denounced him as a "petty, self-seeking bureaucrat." Finally, the appointment was approved 61 to 20.

And about all the taxpayer will get out of this is a small sense of relief that after all these years of raucous argument over "the Otepka case", it finally seems to be at an end.

The Washington Post _____
 Times Herald _____
 The Washington Daily News p 20
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Sun (Baltimore) _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Examiner (Washington) _____

Date 6-30-69

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UPI-122

(OTEPKA)

WASHINGTON--THE SENATE TODAY CONFIRMED THE NOMINATION OF OTTO F. OTEPKA AS A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD. LIBERALS CALLED THE APPOINTMENT "BLINDLY HYPOCRICAL" AND "PURE CHICHANERY."

PRESIDENT NIXON'S NOMINATION OF OTEPKA TO THE \$36,000-A-YEAR SACB POST WAS APPROVED SIX YEARS AFTER HE WAS FIRED AS CHIEF SECURITY OFFICER AT THE STATE DEPARTMENT FOR SLIPPING SECRET DOCUMENTS TO THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

A MOTION BY SEN. STEPHEN M. YOUNG, D-OHIO, TO RETURN THE OTEPKA NOMINATION TO THE SENATE JUDICIARY COMMITTEE, WHICH APPROVED HIM, WAS DEFEATED 56-35 BEFORE THE CONFIRMATION VOTE.

MANY LIBERAL SENATORS FROM BOTH PARTIES OPPOSED THE NOMINATION. THE OPPOSITION WAS COUPLED WITH EQUALLY STRONG PROTEST AGAINST THE CONTINUED EXISTENCE OF THE HIGHLY CONTROVERSIAL BOARD.

BUT OTEPKA, 54, WHO ENJOYED STRONG CONGRESSIONAL SUPPORT IN HIS LONG FIGHT WITH THE STATE DEPARTMENT, WAS WARMLY ENFORCED BY THE SENATE REPUBLICAN LEADER EVERETT M. DIRKSEN AND A NUMBER OF GOP STALWARTS, PLUS SEN. THOMAS J. DODD, D-CONN.

DIRKSEN, WHO WON A NEW LIFE FOR THE BOARD IN 1968 AND THEN DEMANDED THAT THE JUSTICE DEPARTMENT PROVIDE IT WITH SOME BUSINESS, BLAMED THE COURTS FOR ITS IDLENESS.

HE CHARGED THAT THE BOARD WAS "LABORING UNDER THE DIFFICULTY OF THE WARRENCOURT--THAT'S WHERE THE DIFFICULTY WAS."

SEN. EDWARD M. KENNEDY, D-MASS., WHO TANGLED BRIEFLY WITH DIRKSEN, SAID, "IT DOESN'T MAKE ANY SENSE TO CONFIRM A FIFTH MEMBER TO AN AGENCY WHICH DOESN'T HAVE ENOUGH WORK TO KEEP ONE MEMBER BUSY."

"THE SACB DOESN'T NEED A FIFTH MEMBER AND THE NOMINEE DOESN'T FIT THE QUALIFICATIONS OF A MEMBER," KENNEDY ADDED.

BUT SEN. BARRY M. GOLDWATER, R-ARIZ., SAID "A GREAT INJUSTICE HAS BEEN DONE TO MR. OTEPKA" AND THAT SENATE CONFIRMATION WOULD PARTIALLY REMEDY IT. ~~3-4-68-5-5~~ "SOME OF OUR LARGE NEWSPAPERS" AND SOME NEWSPAPER COLUMNISTS UNJUSTLY SMEARED OTEPKA.

DODD ALSO DEFENDED OTEPKA AS "A DECENT MAN, IMMINENTLY QUALIFIED" AND SAID THE SMEAR CAMPAIGN AGAINST THE NOMINEE WAS SPEARHEADED BY COLUMNIST DREW PEARSON AND JACK ANDERSON, WHOM HE CALLED "LYING JACKELS." THEIR CHARGES AGAINST DODD LED TO HIS CENSURE BY THE SENATE FOR FINANCIAL MISCONDUCT.

DODD ADDED "OTEPKA WAS NOT SUSPECTED OF BEING DISLOYAL OR OF BEING A SPY."

DODD THEN THUNDERED "THE CHARGE AGAINST HIM WAS THAT HE COOPERATED WITH THE SENATE."

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WASHINGTON CAPITAL NEWS SERVICE

170 JUN 30 1969

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ADD 1 OTEPKA, WASHINGTON (UPI-122)

AS ORIGINALLY SET UP, THE SCAB WAS EMPOWERED TO DETERMINE IF A PERSON OR ORGANIZATION SHOULD BE CLASSIFIED AS COMMUNIST. MUCH OF THE BOARD'S POWER WAS RESTRICTED BY SUPREME COURT DECISIONS AND IT WAS VIRTUALLY DORMANT UNTIL SOME CASES WERE FORWARDED BY THE JUSTICE DEPARTMENT LATE LAST YEAR.

HAD IT NOT RECEIVED THOSE CASES, IT WOULD HAVE GONE OUT OF EXISTENCE. SOME HAVE SAID DIRKSEN PREVAILED ON HIS FRIEND LYNDON B. JOHNSON TO HAVE THE CASES SENT TO THE BOARD JUST BEFORE THE DEADLINE.

SEN. STEPHEN YOUNG, D-OHIO, CALLED THE APPOINTMENT "AN OUTLANDISH PIECE OF POLITICAL EXPEDIENCY" AND ADDED HE HOPED WOULD NOT MARK A RETURN TO THE MCCARTHY ERA.

THE 80-YEAR-OLD LAWMAKER SAID FORMER SECRETARY OF STATE DEAN RUSK "WAS CORRECT IN REMOVING THIS WITCH HUNTER FROM HIS STAFF" AND ALLEGED OTEPKA HAS "CLOSE TIES TO THAT LUNATIC JOHN BIRCH SOCIETY."

HE ADDED "THIS NOMINATION IS AN INSULT TO THE AMERICAN PEOPLE...PURE CHICANERY. THE SUBVERSIVE ACTIVITIES CONTROL BOARD IS A SOP TO THE RIGHT WING EXTREMISTS AND A CONVENIENT PLACE FOR THE PRESIDENT TO PLACE HIS FRIENDS."

SEN. THOMAS F. EAGLETON, D-MO., SAID THAT TO ELEVATE OTEPKA AFTER HE HAD BEEN TRANSFERRED FROM THE SECURITY FIELD BECAUSE OF AN INTENTIONAL BREACH OF SECURITY CONDUCT "IS SERIOUSLY INCONSISTENT--IT IS MORE THAN THAT. IT IS BLINDLY HYPOCRITICAL."

DIRKSEN TRACED HIS EFFORTS LAST YEAR TO KEEP THE BOARD ALIVE AND TOLD THE SENATE "I WAS AFTER RAMSEY CLARK TO DO IT AND FINALLY HE SENT SOME CASES TO THE BOARD AND FOR THE FIRST TIME THEY COULD GO TO WORK."

CLARK SENT THE NAMES OF EIGHT OBSCURE STATE COMMUNIST PARTY LEADERS TO THE BOARD HOURS BEFORE THE LAW KEEPING THE BOARD ALIVE WAS DUE TO EXPIRE. THE BOARD HELD HEARINGS BUT HAS NEVER ACTED ON THE EIGHT PERSONS.

6/24--EG332FED

Senate Votes To Give Otepka Post on SACB

By William Chapman
Washington Post Staff Writer

Otto F. Otepka, who had fought a five-year campaign to regain his job as State Department security chief, was confirmed yesterday for a \$36,000-a-year post on the Subversive Activities Control Board.

The Senate, after overwhelming a brief but lively liberal protest, voted 61 to 28 for Otepka's nomination and fulfilled a pledge made to him early this year by Republican leader Everett M. Dirksen (Ill.).

"I was determined to fight this through to the finish and the finish comes today," Dirksen declared just before the vote.

Otepka was ordered dismissed from the State Department in 1963 for giving classified documents to a staff member of the Senate Internal Security subcommittee. He fought five years for reinstatement, but both the Civil Service Commission and the new Secretary of State, William P. Rogers, refused to reverse former Secretary Dean Rusk's order.

Early this year, Dirksen suggested that President Nixon appoint him to the SACB and the President complied.

Liberals yesterday criticized him as an overzealous pursuer of security cases and said the SACB should be abolished instead of having its vacancies filled.

Sen. Gaylord Nelson (D.

Wis.) said the pace of the SACB in hearing cases alleging membership in "Communist-action groups" was so slow that its record amounted to a cost of \$100,000 a case. He said the Board worked only one out of 50 working days.

Dirksen, defending the Board, said its inactivity had been "due to the Warren Court," which had restricted its operations in decisions that almost put it out of business.

Sen. Edward M. Kennedy (D-Mass.) said Otepka had been found "not suitable" for his former job by both the Civil Service Commission and Rogers and said he should not be allowed to get the SACB post.

In reply, Dirksen pulled out a copy of a letter he said Mrs. Otepka had written to Kennedy explaining the economic hardships suffered by her husband for his action in 1963. In the letter she said she had cut her husband's hair, washed and ironed his shirts and canned tomatoes, while Otepka had been forced to take a teaching job.

The Senate voted 56 to 35 against a motion by Sen. Stephen Young (D-Ohio) to send the nomination back to committee.

From the Washington area, Sens. Harry F. Byrd (D-Va.), William Spong (D-Va.), and Charles McC. Mathias (R-Md.) voted for Otepka's confirmation. Sen. Joseph D. Tydings (D-Md.) voted against it.

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The National Observer _____
People's World _____
Examiner (Washington) _____

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Date June 25, 1969

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Confirms Otepka, 61-28, for SACB Job

day, with some Republican senators voting "no" despite Dirksen's watchful eye. An earlier effort to send the appointment back to committee lost 56 to 35. "I told you we were going to confirm Otepka," Dirksen said later. "And goddam we did." "It's a victory for justice to a man who in my judgment has been grievously wronged for a long period of years. At long last, justice was done," Dirksen said.

Otepka, 53, was top State Department security evaluator until he was demoted in 1963 by former Secretary of State Dean

Rusk for allegedly passing information on department employees to a Senate unit without proper authority. His supporters hailed Otepka's confirmation as a vindication for the former State Department aide. Opponents, on the other hand, charged on the Senate floor that Otepka was the wrong man for the job and that the board itself should be scrapped. "It is obvious that today the SACB is nothing more than a sop to the right wing and (a) convenient place for a President to place his friends," said Sen.

Stephen M. Young, D-Ohio. Young called President Nixon's appointment of Otepka to the board "an outlandish piece of political expediency." Sen. Edward M. Kennedy, D-Mass., the Senate Democratic whip, said Otepka's record disqualified him. "If this nominee was found incapable of holding a minor security post within an executive agency, how can he be qualified to hold a higher position with a security organization whose potential jurisdiction runs everywhere?" Kennedy said.

The strongest criticism on the Senate floor of the SACB itself was voiced by Sen. Gaylord Nelson, D-Wis. For 20 months, Nelson said, the board held no hearings at all on individuals or organizations accused of Communist links. In the past 18 months, he said, it has held six hearings. Nelson called the record "a pretty leisurely pace even for an institution as jaded as the federal bureaucracy." In his new job, Otepka will receive a salary of \$36,000 a year. The criticism of the board by

Nelson provoked Dirksen to retort stormily that its "20 months of inactivity" had been the result of restrictive court decisions. Dirksen reminded listeners that he had led the Senate fight to "reconstruct" the SACB, disclosed that he then had pressured former Atty. Gen. Ramsey Clarke to send it cases. Sens. Harry F. Byrd Jr., D-Va.; William B. Spong Jr., D-Va., and Charles McC. Mathias Jr., R-Md., voted to confirm Otepka. Sen. Joseph D. Tydings, D-Md., voted against the appointment.

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Page A-2

Date June 25, 1969

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Otepka Promotion Puzzles Hill GOP

By Drew Pearson
and Jack Anderson

Republican Senators have become increasingly unhappy over the appointment of Otto Otepka, dropped from the State Department for leaking classified information but now promoted to a \$36,000 job on the Subversive Activities Control Board.

It now appears that the appointment is a sop more to right-wing Democratic Senators than to Republicans—except for the Senate basso profundo, Everett Dirksen. Sen. Tom Dodd, a Democrat, is Otepka's staunchest supporter. This brings up a situation which puzzles Republicans. President Nixon has gone out of his way to warm up to Senator Dodd despite the fact that Dodd is one of only six men in history to be censured by the Senate.

Dodd was never invited to the White House during the Johnson Administration after his censure. However, Nixon has twice invited him or his family. Once was for dinner in honor of the Dutch prime minister; again, the Dodd children were invited to the masked ball which Tricia Nixon gave.

A new type of Republican is now coming to the fore in the Senate, inclined to be quite independent of the White House on such matters

as the ABM, ethical conduct, etc. The Dodd-Otepka-Nixon relationship has shocked them.

Among other things they consider the Otepka appointment a vote of no-confidence in Secretary of State William P. Rogers, a very popular Republican. Rogers had upheld Dean Rusk's decision that Otepka was to be dropped from the State Department.

New Otepka Link

Meanwhile, there is an interesting new development in the Otepka case, now hanging fire in the Senate.

It pertains to J.G. Sourwine, chief counsel for the Senate internal security subcommittee and the man through whom Otepka leaked the State Department documents when both were trying to smear Walt Rostow, the Kennedy-Johnson national security adviser, as a security risk.

Sourwine has been extremely anxious to get Otepka confirmed and was the author of the Senate Judiciary Committee report praising him. It read: "Mr. Otepka states he does not have and has not had any formal or informal connections with the John Birch Society or the Liberty Lobby or Mr. Willis Carto."

It now develops that just the contrary was the fact. Otepka did have connections with these organizations and

Sourwine knew the above was not the truth. Despite this, he wrote a report that such able fact-finders on the Judiciary Committee as Sens. Sam Ervin (N.C.) and John McClellan (Ark.) embodied in their report.

The significance of this is threefold:

1. The Birch Society and Liberty Lobby are organizations of the fascist right; while Carto, founder of the Liberty Lobby, is the big wheel in the neo-Nazi movement. He has written that it was a mistake for the United States to have fought Hitler.

2. Otepka, in his new post on the Subversive Activities Control Board, will have the job of passing on right-wing as well as left-wing subversives. In as much as he has described Carto as upholding "the fine traditions of American life," he is prejudiced in advance.

3. The fact that Sourwine, Otepka and some members of the Judiciary Committee are attempting to deceive the Senate indicates a return to the old witch-hunting days when truth was not considered important in making charges of subversion against government employees.

3 Weren't Fooled

Three Democratic Senators, Teddy Kennedy (Mass.) Phil Hart (Mich.) and Joe Tydings

(Md.), were not taken in by the Sourwine report and voted no. Sen. Charles Mathias, Maryland Republican, expressed public reservations. Sens. Birch Bayh (Ind.) and Quentin Burdick (N.D.), Democrats, knew the real story but knuckled under to right-wing, neo-Nazi pressure. Sen. Marlow Cook, the new Republican from Kentucky, didn't know the real facts.

What many Committee members did not know were the following conclusive links among Sourwine, Otepka and Carto, sparkplug of the neo-Nazis. It was Sourwine who first introduced Otepka to Carto. Out of this meeting came a 28-minute movie, "The Otepka Case," which Carto's Liberty Lobby produced and promoted. Sourwine helped to film some of the sequences.

Despite these connections that Sourwine himself arranged, he denied in his official report any links among Otepka and the John Birch Society, the Liberty Lobby or Carto.

However, when interviewed by Joe Trento of World Wide Features, Sourwine not only expressed his high regard for Liberty Lobby but went further: "Liberty Lobby often requests information about individuals and issues. . . I do not hesitate to supply anything this dedicated group requests."

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The Washington Merry-Go-Round

Otepka Promotion Puzzles

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and Jack Anderson**

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Hill GOP

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OTTO F. OTEPKA

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Gandy ☒

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Sunday News (New York)

New York Post

The New York Times

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The Daily World

The New Leader

The Wall Street Journal

The National Observer

People's World

Examiner (Washington)

Date **JUN 10 1969**

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JUN 13 1969

ADA Tries to Block Otepka Confirmation

By George Lardner Jr.
Washington Post Staff Writer

Americans for Democratic Action attacked Otto Otepka's nomination to the Subversive Activities Control Board yesterday as the first act of a "dangerous" right-wing scenario.

The liberal group urged the Senate to vote down Otepka's confirmation or send the nomination back to the Judiciary Committee for "further hearings on his right-wing activity."

In a letter sent to all 100 Senators, ADA Vice Chairman Joseph L. Rauh Jr. protested that Otepka might well wind up "in charge of investigating all Federal employees."

President Nixon named Otepka to the SACB after the State Department's former chief security evaluator lost a

long legal fight for reinstatement. He had been ousted in 1963 after giving classified documents to the Senate Judiciary subcommittee on internal security.

Rauh pointed out that under a bill sponsored by Otepka's staunchest supporters in the Senate, a new Government agency would be set up to check all Federal employees for security risks.

The bill would permit the chairman of the SACB to head the new security agency, and, Rauh said, Mr. Nixon could name Otepka as chairman once the Senate approved his appointment to the SACB.

Recently, Rauh said, Sen. Strom Thurmond (R-S.C.), an outspoken Otepka supporter, was quoted as saying that with passage of this bill, "Mr. Otepka will once again deal with security evaluation, not only for the State Department, but for the whole of Government."

Alluding to financial support for Otepka by members of the John Birch Society and his attendance at meetings run by Birch leaders, Rauh contended that the Senate, if it confirms Otepka, "would be adopting a double standard as between the extreme right and extreme left."

The Senate, Rauh argued, would never consider appointing a man who "has accepted funds from members of the Communist Party" and "has appeared at meetings run by leaders of the Communist Party."

Otepka's supporters, on the other hand, have complained that he has been the victim of a double standard and tainted by liberals with "guilt by association."

The issue is expected to come up on the Senate floor within a few days. Otepka was praised highly Wednesday in a Senate Judiciary Committee majority report as "a fine example of the best type of career civil servant."

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Date May 30, 1969

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of the "Richard Nixon Foundation" are Herbert Hoover Jr., formerly with Union Oil and a substantial contributor to the Nixon fund; Earl Adams, of the Los Angeles law firm of Adams, Duke and Hazeltine, and Jack Drown of the Drown News Agency in Los Angeles . . . Republicans who are boosting Otto Otepka for the Subversive Activities Control Board have been citing Clarence Manion, formerly on the White House staff, as raising money for Otepka. They have forgotten that Eisenhower fired Manion without explanation after it was discovered that information in top secret messages leaked to Sen. Joe McCarthy within hours after they passed over Manion's White House desk . . . While rebuffing Sen. Strom Thurmond on school desegregation, President Nixon has appeased the South Carolina Republican by giving him more patronage than any other Senator. Latest is Alex McCullough of South Carolina to the Export-Import bank.

Headlines and Footnotes

It is interesting to note that President Nixon has not deserted some of his old friends who contributed to his famous \$18,000 expense fund when he was a Congressman. Listed by the White House as trustees

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 The Washington Daily News _____
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The Washington Merry-Go-Round

Nixon Regrets Otepka Appointment

By Drew Pearson
 and Jack Anderson

White House aides have acknowledged to liberal Republican Senators that President Nixon now realizes his appointment of Otto Otepka to the Subversive Activities Control Board was a mistake.

He can't withdraw it, however, without arousing the wrath of the right wing, which can be both vocal and vicious. He also can't afford to offend Otepka's two staunchest supporters in the Senate, GOP Leader Everett Dirksen (Ill.) and Sen. Strom Thurmond (S.C.), both powers in the Republican Party.

Rather than face the abuse of the right wing, even such liberal Democrats as Sens. Birch Bayh of Indiana and Quentin Burdick of North Dakota deserted Sen. Ted Kennedy during the fight against Otepka inside the Senate Judiciary Committee. The John Birch Society, Liberty Lobby and other extremist groups have enough of a following in Indiana and North Dakota to mount a nasty smear campaign.

Aides have explained that the President was really looking for a safe place to put Otepka out to pasture. He felt that the Subversive Activities Control Board, whose name would impress the right wing but whose power has been severely restricted by the Supreme Court, was ideally suited for Otepka.

The rabble-rousers of the right, however, have other plans for the SACB. They have now launched a drive to put all security investigations under the SACB and to make Otepka the Government's anti-subversion czar.

Dirksen saved the SACB from being abolished altogether by making a deal with President Johnson to support Abe Fortas for Chief Justice in return for extending the life of the SACB. Now Fortas has been hounded off the Supreme Court altogether, while Dirksen and Thurmond are pushing the right-wing plan to broaden the powers of the SACB.

Strange Patriots

Yet the man who would guard the Nation against subversives has indicated that he doesn't know the difference between a patriot and a Nazi. In an interview with World Wide Features, Otepka called the Liberty Lobby "patriotic" and the man who runs it, Willie Carto, a defender of "the fine traditions of American life."

World Wide's Washington bureau chief, Joe Trento, questioned Otepka about our expose of Liberty Lobby as a Nazi front.

"Liberty Lobby is a respectable organization—patriotic," replied Otepka. "Willie Carto is no Nazi. He believes in the fine traditions of American life."

Significantly, Liberty Lobby has led the campaign to reinstate Otepka ever since he was eased out of the State Department for slipping classified documents to Sen. Tom Dodd (D-Conn.). The Liberty Lobby even produced a movie, called "The Otepka Case," featuring Otepka as the object of Government persecution.

The Liberty Lobby has been under FBI investigation since 1966 when its corresponding secretary, Jeremy Horne, discovered its Nazi leaning.

In a report to FBI Chief J. Edgar Hoover, dated Aug. 24, 1966, Horne wrote: "Approximately three weeks ago, I was cleaning out a back storeroom and came across a box of letters written by a Mr. Willis Carto, current treasurer and 'owner' of this organization. To various other individuals, he had conveyed a series of thoughts propounding many theories similar to those expounded in Mein Kampf . . .

"In all, there are approximately 150 of these letters, some to black nationalist groups, as well as to vitriolic hate organizations. Along with these letters, there are numerous clippings, pamphlets and newspapers all centering around the 'racial question.' Privately, the box is marked, 'civil right, personal.'"

"From the enclosed, you see what I think to be an indication of fraud, i.e.: the usage of Liberty Lobby by this man to advance his own theories,

those of National Socialism (Nazism)."

Carto Lands Hitler

Subsequently, we got hold of these letters and published excerpts in October, 1966. In a typical letter, Carto expressed his admiration for Adolf Hitler and described Hitler's defeat in World War II as "the defeat of Europe and America."

"How could we have been so blind?" wrote Carto. "The blame, it seems, must be laid at the door of the international Jews."

Yet this is the man whom Otepka has praised as a defender of American traditions.

In recent weeks we have obtained affidavits from half a dozen leaders of the former Youth for Wallace organization about Carto's Nazi activities. Like Horne, they are genuine conservatives who campaigned for George Wallace for President. They were appalled, however, after Carto took over financial control of their organization and tried to lure them into the Nazi movement.

Following our expose, Carto's Liberty Lobby came out in the open and began promoting "Imperium," the Mein Kampf of the new Nazi movement. This is the organization which the unbiased and unprejudiced Otepka described as "respectable" and "patriotic."

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People's World _____
 Examiner (Washington) _____
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Date May 29, 1969

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Hill Report Heaps Praise on Otepka

Otto F. Otepka, the former State Department security aide, is lavishly praised in a Senate Judiciary Committee majority report as being "a fine example of the best type of career civil servant."

In endorsing Otepka for a \$36,000-a-year job on the Subversive Activities Control Board, the authors of the report released yesterday, also said they are convinced he has had no association with any "subversive organization."

That was in reply to criticism from liberal Senators who had suggested that Otepka's long legal battle with the Government had been financed with money from organizations linked with the

John Birch Society and the Liberty Lobby.

Sen. Edward M. Kennedy (D-Mass.) and Sen. Joseph D. Tydings (D-Md.) filed a dissent, partially on grounds that the majority report did not discuss in detail the financial support of Otepka's legal efforts.

The report should have given more consideration to his "major sources of financing," Kennedy and Tydings said.

Former Secretary of State Dean Rusk sought to discharge Otepka, the Department's chief security evaluator, in 1963 after he had given the Judiciary Committee some

documents the Department did not want released.

Otepka was refused reinstatement by the current secretary, William Rogers, and President Nixon appointed him to the Subversive Activities Control Board.

Some of the money Otepka used in his legal efforts came from the American Defense Fund and Defenders of American Liberties. Of them, the Committee's majority report said:

"There has been no direct charge that either organization is controlled by or is subservient to either the John Birch Society or the Liberty Lobby."

It said that, "Otto Otepka's strength lies in his record of

outstanding service to his country over a period of more than 30 years, in the respect and admiration accorded him by professional security officers both in and out of government."

It also cited expressions of support from the American Legion, the Young Republican organization and the League of Republican Women.

In a separate expression, Sen. Charles McC. Mathias (R-Md.) said he did not think the record in Otepka's case justifies all the assertions made in the majority report.

But Mathias said he also did not believe the record justified interfering with a President's "wide discretion" in submitting nominations.

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 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
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fense Laird says in Saigon: "We will not tolerate continued enemy escalation of the war."

There is not even any agreement on the terms of the Paris peace talks or on whether the enemy was first to step up the military pressure, or vice versa. Washington says it had an "understanding" that there would be no enemy attacks on the cities if it stopped the bombing of North Vietnam. Hanoi holds there was no such understanding. Hanoi says the U.S. kept up the bombing pressure and the search-and-destroy raids early this year; Washington says it did so in response to the enemy's increasing pressure.

Meanwhile, despite all the recent expressions of mutual understanding between President Nixon and officials of the Soviet Union and the Western European countries, the efforts of London, Paris, Moscow and even the United Nations to bring about a cease-fire have virtually ceased.

THE CRITICAL POINT

In this situation, it is fairly clear that President Nixon is not going to get a settlement without a shift in policy. He has apparently been hoping that by sounding reasonable toward both Saigon and Hanoi, the enemy will come forward with the compromise President Johnson could not get, but this is not forthcoming.

The sticking point for the enemy is his doubt that the United States intends to withdraw from that peninsula. Hanoi simply cannot believe that the United States would sacrifice over 32,000 lives and spend over \$30 billion a year in defense of a principle, then make peace and take its men back home.

In actual fact, there is reason for believing that if Mr. Nixon could get a negotiated peace, he would be willing to do precisely that, but he has not made the point clear, and so long as the enemy is in doubt about this critical point, the chances are that the war will go on indefinitely.

If this intention were emphatically stated instead of merely being discussed around the White House as a likely objective of U.S. policy, then it might be possible to bring the influence of the world community, including the Soviet Union, to bear on the Paris talks.

THE WISHFUL WAITING

But the President hesitates. He is still hoping the old policy will work simply because it is in new hands and is being expressed in different language. He is back on the brink again of one more military response to the enemy's attacks, though there is no evidence that the enemy, having lost over 450,000 men, will hesitate to keep on sacrificing until it is sure American power will definitely be removed as part of any settlement.

Sooner or later, Mr. Nixon will probably have to come to this decision, and the longer he waits, the harder it will be to make the switch, the greater the danger of one more round of escalation, and the higher the death tolls.

[From the New York Times, Mar. 9, 1969]

THE PRESIDENT'S VIETNAM TEST

The challenge confronting President Nixon in the current Vietcong offensive is to resist the Lyndon Johnson tendency to react, in the words of one high official of the old Administration, "as if his manhood were at stake."

The sudden doubling of American casualties in South Vietnam is a bitter new indication of the high price of this dismal war, one that makes clearer than ever the necessity for ending it with maximum speed. That endeavor will not be aided by another rash of self-defeating responses dictated by frustration and anger.

In his foreign policy news conference last week, President Nixon confirmed that the

Communist attacks in South Vietnam have been "primarily directed toward military targets." Only "technically," in his phrase, they contravene the American warning attacks against major cities would make impossible to maintain the bombing halt.

Several factors need considering before an Administration decision on what to do about the present attacks. The first is that experience at all stages of the war indicate that Communist offensives soon run out of supplies and that their duration is not significantly affected by bombing North Vietnam.

Before President Johnson ordered the halt last Nov. 1, it had become abundantly clear that attempts at aerial interdiction of supply routes through North Vietnam were incapable of stopping the tortuous flow of arms and equipment into the South. Nor has the punishment and economic damage inflicted on the North ever visibly shaken Hanoi's will to fight.

The most predictable effect of precipitate resumption of the bombing would be to alienate world opinion again and hamper negotiations on Vietnam and other critical issues with the Russians. It certainly would halt the Paris talks, prolong the war and escalate the fighting, thus increasing instead of reducing the ultimate cost in American casualties.

Moreover, as former Ambassador Harriman last week told James A. Wechsler of The New York Post, the present Vietcong offensive is "essentially a response to our actions rather than a deliberate, reckless attempt to dictate the peace term or torpedo the talks." General Abrams after the Nov. 1 bombing halt was instructed by Washington to maintain "allout pressure on the enemy" in South Vietnam.

Pentagon figures show that from November to January the number of allied battalion-sized operations increased more than one-third, from 800 to 1,077. Of these 919 were South Vietnamese, 84 American and 74 combined. Meanwhile, the North Vietnamese pulled all but three of their 25 regiments in the northern sections of South Vietnam back across the borders. This freed more than a full division of American troops to join in maximum military pressure further south as a means of maintaining morale there and encouraging Saigon to get into the Paris talks.

American spokesmen have heralded successes on the battlefield and in renewed pacification efforts as improving both the allied bargaining position in Paris and the Saigon Government's chances for surviving a peace settlement. There have even been repeated claims that an allied military victory was ripe for the taking.

The United States simply cannot have it both ways. It cannot demand the right to press the fighting with increased vigor itself while charging doublecross whenever the Communists do the same. The sad fact is that the Paris talks have been left on dead center while Ambassador Lodge awaits a White House go-ahead for making new peace proposals or for engaging in private talks out of which the only real progress is likely to come. Everything has been stalled while the Nixon Administration completes its military and diplomatic review.

Now that the Communists have responded with a new military offensive in South Vietnam, the United States will simply have to grit its teeth and see the battle through. Hanoi as well as Washington and Saigon must once again learn the hard way that military victory is an impossibility for both sides, that the sole real hope lies in ending the drift in the peace talks. Anything either side does to retard progress there simply condemns more life and treasure to destruction in the pointless war that is the Vietnam war.

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OTEPKA TO RECEIVE PRESIDENTIAL APPOINTMENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. ASHBROOK. Mr. Speaker, there is much justifiable elation over the recent news stories that Otto F. Otepka, the State Department security officer who had been demoted by former Secretary of State Dean Rusk, was to be offered the position of Commissioner on the Subversive Activities Control Board, a Presidential appointment.

Concerned about his good name and the stigma on his record of the State Department action, Mr. Otepka was fearful that his vindication of the charges would still be left in doubt. When assured that the Presidential appointment would wipe out any hint of wrongdoing on his part, the security evaluations officer accepted.

As a lawyer and by virtue of his long involvement in security and subversive matters, Mr. Otepka is well qualified to sit on the Board, a quasi-judicial agency which rules on subversive cases referred to it by the Justice Department. In the past there has been some misunderstanding concerning the function of the SACB. It has been overlooked by some people in high places that the Board cannot initiate action, but must wait for referral by the Justice Department before swinging into operation. The responsibility for any inaction on the part of the SACB in the past must be traced directly to the Justice Department under Attorney General Ramsey Clark. As the newsweekly, Human Events, points out, it is a new ball game as far as the SACB is concerned for "Attorney General John Mitchell has every intention of breathing new life into the Board."

Two publications which have worked long and hard in behalf of justice for Otto Otepka are the Chicago Tribune and the above-mentioned Human Events. Mr. Willard Edwards, Tribune's veteran newsman, has expended untold effort and time in bringing to public attention the many ramifications of the case. Human Events, and in particular its Capitol Hill Reporter Allan Ryskind, has likewise performed a journalistic service by helping the public keep abreast of this long and arduous case over the years. They are certainly to be commended for their efforts which at times must certainly appear to be all but futile.

I insert at this point the column "Otepka Vindicated," from the March 15, 1969, issue of Human Events and the story of Mr. Edwards in the Chicago Tribune of March 7, 1969, in the Record:

[From Human Events, Mar. 15, 1969]

OTEPKA VINDICATED

Intent on keeping his campaign promise to accord justice to Otto F. Otepka, President Nixon last week offered the former high-ranking State Department security officer an important position with the Subversive Activities Control Board (SACB). The board's main job is to search out Communist-front organizations.

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The tender was an apparent rebuff to Secretary of State William P. Rogers, who, as early as January 21, it is now learned, had made up his mind that he did not want Otepka to work in the department. Two weeks ago Rogers formally notified Otepka he would not be reinstated in the security duties which have been his life's work.

Rogers, it seems, had fallen for the anti-Otepka line dished out to him by former Secretary of State Dean Rusk and did not want to antagonize current holdovers in the department—particularly Idar Rimestad, deputy under secretary for administration, the man who would have been Otepka's superior had he been reinstated.

The proposed Presidential nomination to the SACB is regarded as a victory for Otepka in his five-year fight for vindication after he was constantly harassed, fired-pending-hearings, demoted and then stripped of security duties for telling the truth and demanding that the Kennedy and Johnson Administrations adhere to proper security procedures.

Otepka agreed to accept the nomination—which must be approved by the Senate—only after consulting Sens. Strom Thurmond (R.-S.C.), Barry Goldwater (R.-Ariz.) and Everett Dirksen (R.-Ill.). They assured him that a White House nomination would erase all the charges previously leveled against him by the State Department under Rusk.

Roger Robb, the skilled attorney who vigorously defended Otepka through his harassment, called it a "glorious vindication" and there is some indication that Nixon may make the announcement from the White House with Otepka by his side.

In accepting the offer, Otepka was assured by Dirksen that the SACB would become a vigorous arm of the government. Under the Johnson Administration, Atty. Gen. Ramsey Clark deliberately weakened the board by refusing to forward cases to it, but Atty. Gen. John Mitchell has every intention of breathing new life into the board.

Otepka's involvement in security matters may increase even further if the Senate, as Dirksen also promised Otepka, gets to work on S. 12, a special piece of legislation that would enormously enhance the powers of the SACB.

Sponsored by Sen. James Eastland (D.-Miss.), chairman of the Senate Judiciary Committee, this bill would create a special Security Administration for Executive Departments which would take over the task of conducting security checks on government employees working in such major departments as Defense and State. Currently, each of the departments conducts its own security checks.

Under the clear intent of the bill, the administrator of this new security panel would also be the Chairman of the Subversive Activities Control Board (now the very respected John W. Mahan). The other four members of the SACB would also be involved in helping out with the work of the new security panel.

Thus, if S. 12 becomes law, it is very likely that Otto Otepka will be involved in more security work than he had ever been in the State Department. To help Otto become fully vindicated, *Human Events* readers should now start asking what their lawmakers are going to do about S. 12.

[From the Chicago Tribune, Mar. 7, 1969]
SECURITY JOB FOR OTEPKA—NIXON OFFERS SUBVERSIVE BOARD POST—DIRKSEN ADVISES HIM TO ACCEPT

(By Willard Edwards)

WASHINGTON, March 6.—President Nixon tonight fulfilled his pledge to accord justice to Otto F. Otepka by offering him appointment to the subversive activities control board, one of top security posts in the government.

The proposed nomination was regarded as a victorious climax to Otepka's five-year fight for vindication against what a Senate subcommittee termed "calculated and extraordinary harassment" for conscientious performances of his duties.

Otepka, after consulting with Senators Dirksen (R., Ill.) and Barry Goldwater (R., Ariz.), said he was agreeable to the nomination which is subject to scrutiny by the Senate.

FIRING IN 1963 BY RUSK

He was assured by both that, in their opinion, the appointment canceled out all the charges previously leveled against him by the state department under secretary Dean Rusk.

Rusk fired Otepka in November, 1963, on charges of conduct unbecoming a state department officer. Four years later, Rusk was compelled to cancel the discharge but he substituted a severe reprimand and a demotion which cut Otepka's salary as chief of evaluations, office of security, from \$20,000 to \$14,000 a year.

ADVISED TO ACCEPT

If confirmed as a member of the SACB, Otepka will receive a \$36,000 salary. The board has jurisdiction over all cases involving communist organizations and individuals forwarded by the attorney general for rulings.

Otepka carefully considered the appointment before agreeing to accept it. He was prepared, if necessary, to reject it and appeal to the courts but members of the Senate and his attorney, Roger Robb, persuaded him that a Presidential nomination was the equivalent of a court opinion clearing him of all charges alleging misconduct.

At a Senate hearing on his nomination, it was noted, a record can be made which will emphasize his clearance.

Dirksen also assured him that he was not being appointed to a board which will be ineffective. Under the Johnson administration, Atty. Gen. Ramsey Clark made an attempt to weaken the board by not forwarding cases to it. Dirksen said he had been informed by Nixon's attorney general, John Mitchell, that the board will be a vigorous branch of the government.

In naming Otepka, Nixon was keeping a promise he made during his Presidential campaign to see that "justice is accorded to this man who has served his country so long and so well."

ROGERS WAS RELUCTANT

Secretary of State William P. Rogers, however, was reluctant to reinstate Otepka, in the state department as chief security officer.

Rogers informed Otepka's attorney that he could not see Otepka performing a useful service in his old post because holdover officials, hostile to him, would be his superiors. Rogers had been warned that a House appropriations subcommittee would slash his spending funds if he fired one of these officers, Idar Rimestad, deputy undersecretary for administration.

Otepka agreed that his position under these circumstances would be untenable. He continued, however, to demand reinstatement and a letter stating, in effect, that he had been wronged by false charges. If this was done, he said, he would seek suitable means to retire.

DIRKSEN NOTES VACANCY

As the deadlock continued, letters began to pour in on the White House, state department, and Congress, protesting that the President had not kept his campaign pledge. The heat, as one aid put it, was on.

Dirksen noted a Republican vacancy on the SACB [Otepka is a Republican], and suggested Otepka's appointment might serve the dual purpose of placing him in a high post and wiping the slate clean of all the allegations previously made against him.

The President and his secretary of state welcomed this solution. Goldwater talked

to the President and called Otepka, urging him to accept the nomination. Senators Tom Thurmond (R., S.C.) and James O. Eastland (D., Miss.), chairman of the Senate judiciary committee, also agreed that the appointment could be regarded as a complete vindication for Otepka.

They were joined in this urging by James Stewart, head of the American Defense fund, Palatine, Ill., which had raised \$27,000 for Otepka's legal expenses during the long battle and was prepared to raise more money if needed to finance a court appeal.

Otepka after talking it over with his wife, said his doubts were resolved. The arrangement was made final after a talk with Dirksen late today.

HOPES TO CLEAR RECORD

Otepka said he hoped the appointment, the subsequent Senate hearing, and floor debate, would make clear that the charges against him were false.

The Senate judiciary committee will consider the nomination. It is the parent of the Senate internal security subcommittee which called Otepka six years ago and called upon him to testify frankly about lax security in the state department. He responded and his troubles began.

Otepka's ordeal had started even earlier when he was called by Rusk and the late Robert F. Kennedy, then attorney general, in December, 1960, and asked to waive security investigations for a number of state department appointees then under consideration by President-elect Kennedy.

WOULDN'T BREAK RULES

He refused to break the rules. In the next two years, he was demoted, isolated, and put under surveillance and his telephone was tapped. Two state department officers, caught lying under oath in the Senate inquiry, were forced to resign.

When Rusk fired him, Otepka appealed under civil service regulations. The case dragged on for four years before most of the charges against him were dismissed and the discharge retracted. He continued to fight, however, taking leave without pay. He had to borrow from relatives and subsist on his wife's salary as a school teacher.

"I hope all my friends are right and that my record will be wiped clean of all stigma in the proceedings attending this nomination," he said. "The major issue here was a government employee's right to testify truthfully before a congressional committee. If this point has been made, I feel it was all worthwhile."

BRIDGES TO THE SUN—THOUSANDS ENJOY INNUMERABLE ATTRACTIVE BEAUTIFUL FLORIDA KEYS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1969

Mr. FASCELL. Mr. Speaker, recent publication of the ninth annual Sunshine Strip edition of the "Florida Keys Keynote" again calls attention to one of the most beautiful places on earth—the Florida Keys. I congratulate the Keynote on its big new edition, which is packed with interesting and informative news, photography, and advertising concerning the Florida Keys.

I wish I could insert the entire edition in the CONGRESSIONAL RECORD, for I am sure that my colleagues would greatly enjoy seeing this colorful and fascinating

Fund With Birch Society Ties Help Otepka in

By EIL SHEEHAN

Special to The New York Times

WASHINGTON, April 3—A fund with John Birch Society associations has paid about 80 per cent of the \$26,500 in legal costs incurred by Otto F. Otepka in his four-year fight to win reinstatement as the Department's chief security evaluator.

James M. Stewart, who runs the American Defense Fund, said that \$22,000 had been given to Mr. Otepka, who has been nominated by President Nixon to the Subversive Activities Control Board.

While the fund was publicizing his dispute with the Department to solicit money on his behalf, Mr. Otepka also spoke to gatherings at the homes of Birch Society activists and to a large meeting of 700 to 800 persons in the auditorium of another ultra-conservative organization, the Flick-Reedy Education Enterprises in Bensenville, Ill.

There is no apparent illegality in Mr. Otepka's acceptance of the legal fees. But he has been a figure of controversy in the past and thus the legal fees and the question of his association with Birch members may become a matter of dispute if the Senate Judiciary Committee proceeds with its tentative plan to hold a confirmation hearing on his nomination after the Easter recess.

Links to Birch Events

An investigation showed that Mr. Otepka's association with Birch members has been considerable over the last several years.

Last summer he attended the four-day annual God, Family and Country rally in Boston organized by Birch Society leaders. The rally chairman is Col. Laurence E. Bunker, a member of the Birch National Council.

Gordon D. Hall, the lecturer and authority on extremist groups, said he had seen Mr. Otepka autographing glossy, 8 by 10 inch photographs of himself beside the fund's display booth in the Statler-Hilton Hotel, where the rally was held.

Mr. Hall said that another eye witness had told him that Mr. Bunker had formally introduced Mr. Otepka to an

assembly of the participants in the rally.

Medford Evans, book review editor for the Birch Society magazine and managing editor of the segregationist White Citizens' Council weekly, said that Mr. Otepka had taken a modest part in two political seminars at the rally.

Mr. Otepka declined to discuss his appearances at the homes of Birch Society activists on the grounds that these were "private activities." He contended that the large gathering at the Flick Reedy auditorium had also been a "private meeting."

No "Ideological" Discussion

Asked if he was aware of the Birch Society membership of his hosts on these occasions and at the Boston rally, Mr. Otepka said, "I am not going to discuss the ideological orientation of anyone I am associated with."

He gave a similar answer when asked about the Birch Society Associations of Mr. Stewart, the American Defense Fund head.

Mr. Otepka would not say why he had given the talks, but he maintained that "I have at no time engaged in any activities to solicit funds."

In his struggle to win reinstatement, Mr. Otepka has received \$22,000 from the fund and \$4,500 to \$5,000 from sources he would not disclose.

He was originally dismissed in 1963 for passing classified documents to the Internal Security Subcommittee of the Senate Judiciary Committee without authorization.

After lengthy hearings, former Secretary of State Dean Rusk formally reprimanded him in December of 1967 and demoted him to what Mr. Otepka called a "clerical job" that paid about \$5,000 less than the \$20,585 he drew as a security investigator.

He is now on leave without pay. The position on the subversive activities board pays \$36,000.

Mr. Otepka said he had gone to the Boston rally because he and his wife like the "seashore air" and he happened to be in the city on vacation. He said he did not remember autographing any photographs and would not

say if he had participated in the seminars.

Mrs. Harold N. McKinney, a Birch Society chapter leader who is the rally's executive secretary, said Mr. Otepka had come as an invited guest.

She said she had known Mr. Otepka before he had been suspended in 1963 and that he had been "very helpful" in arranging for speakers at meetings in the Boston area.

Colonel Bunker, former aide de camp to the late Gen. of the Army Douglas MacArthur, said the rally was not a Birch Society activity and was just a gathering of conservatives, but Mr. Evans said "at least half the people there were John Birchers" and while the rally was not an official function of the society "there is a lot of overlap."

A number of the exhibitors are official Birch Society fronts, including the anti-civil rights Truth About Civil Turmoil Committee. Others are independent ultraconservative organizations, including the anti-Semitic magazine, The American Mercury.

Julius Butler, a Birch Society chapter leader in Oak Brook, Ill., said Mr. Otepka had spoken to groups "of 15 to 20 or 30 or 40 people" at Mr. Butler's home four or five times over the last several years. "He comes here whenever he comes to Chicago," Mr. Butler said.

Mr. Butler said that in addition to explaining his dispute with the State Department, Mr. Otepka also talks about treason in high places in Washington "and all the other horrible things that are taking place."

He said Mr. Otepka never solicited money at any of these gatherings but that Mr. Stewart might have occasionally mentioned how much the fund had collected for Mr. Otepka up to that date.

Among other activities, Mr. Butler was an original member of the Emergency Committee Against Having Soviet Spies in Chicago, created in early 1967 to oppose the consular treaty with the Soviet Union.

He said in a telephone conversation that he was now concerned with the "unconstitutional" use of welfare funds "to support illegitimate chil-

dren" and with the Federal Reserve banking system. "It's illegal," he said.

Jay Klopfenstein, the chief organizer of the antispy committee and a Birch chapter leader in Evanston, Ill., said he had heard Mr. Otepka speak twice in the last several years, once at the Flick-Reedy auditorium and gain to a gathering at the home of a "friend" in Glencoe, Ill. He said Mr. Otepka had struck him as "a very capable, cold analyzer of subversives."

He said he had not particularly been impressed with Mr. Otepka's oratorical talents, "but I wouldn't expect a subversive

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State Department Job Fight by Paying Legal Debts

analyzer to be a good public speaker."

Mr. Klopfenstein said he had subsequently received circular letters of appeal from Mr. Stewart and made several modest contributions.

Jerome F. Coniker, a Birch chapter leader in Deerfield, another Chicago bedroom community, said he had heard Mr. Otepka speak "a few times" to "small groups of 30 or 40 people" at the homes of friends. He confirmed that one occasion was at the home of Jay R. Sheesley, a wealthy Glencoe resident who is a fund raiser for the Birch Society.

Mr. Sheesley was also a

principal financial backer of a short-lived private elementary school for the children of ultra-conservative families in his area. German was taught in junior kindergarten.

Mr. Stewart, a 39-year-old advertising executive of Palatine, Ill., would neither affirm nor deny whether he was a member of the Birch Society. "I am not answering the question," he said, "because it is irrelevant."

He said he does subscribe to Birch Society publications as well as to those of other ultraright organizations because "I am in accord with their endeavors."

Mr. Stewart was formerly assistant director of the "educational" program of the Flick-Reedy organization. Frank Flick, the president of the Flick-Reedy Electronics Corporation, has cooperated with Birch Society leaders in political endeavors.

Mr. Stewart was a speaker at the annual Boston rally in 1965 and has set up an exhibition booth for the fund there in the years since.

Colonel Bunker, the Birch National Council member who organizes the rally, said he "would assume" that Mr. Stewart is a member of the so-

ciety, "but I can't vouch for it."

He said he had known Mr. Stewart "over the years" and recalls meeting him on several occasions at receptions at Birch Society book stores when the national council was meeting in the Chicago area.

Mrs. McKinney, the rally's executive secretary, said she had also been associated with Mr. Stewart in one endeavor or another "for years."

Last Sunday Mr. Stewart appeared on the Chicago television program of Dean Clarence Manion, another Birch National Council member, and praised President Nixon's nomination of Mr. Otepka.

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OTTO OTEPKA

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(OTEPKA)

WASHINGTON--SENATE REPUBLICAN LEADER DIRKSEN ACCUSED THE NEW YORK TIMES TODAY OF TRYING TO "SMEAR" OTTO F. OTEPKA FOR PLUGGING A STATE DEPARTMENT LEAK WHICH HELPED JOHN F. KENNEDY WIN THE 1960 PRESIDENTIAL CAMPAIGN.

DIRKSEN MADE HIS ACCUSATION BEFORE A SPECIAL SENATE SUBCOMMITTEE MEETING ON CONFIRMATION OF OTEPKA TO A \$36,000 JOB AS A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD. OTEPKA HAS BEEN THE CENTER OF A SECURITY AND POLITICAL CONTROVERSY SINCE 1963 WHEN DEAN RUSK, THEN SECRETARY OF STATE, FIRED HIM FROM HIS STATE DEPARTMENT SECURITY JOBS.

DIRKSEN URGED APPROVAL OF OTEPKA'S CONFIRMATION AND CALLED HIM A HERO WHO "STEADFASTLY STOOD HIS GROUND" AND REFUSED TO RELAX SECURITY INVESTIGATIONS DESPITE "HARASSMENT" BY THE NEW DEMOCRATIC ADMINISTRATION IN THE EARLY 1960'S.

"TIME AND TIME AGAIN OTEPKA WAS PROMOTED, HE WAS DEMOTED, HE WAS SHIFTED, HE WAS SNUBBED AND HE WAS SCORNE," DIRKSEN SAID. "BUT HE STOOD FIRM" AGAINST CLEARING PEOPLE SUSPECTED OF "COMMUNIST TAINT."

"...THE HARASSMENT IS NOT OVER," DIRKSEN SAID. "THE NEW YORK TIMES HAS ASSIGNED A REPORTER, NEIL SHEEHAN, TO INVESTIGATE OTEPKA AND SMEAR HIM...THIS IS THE NEW YORK TIMES' WAY OF PAYING OTEPKA BACK..."

DIRKSEN SAID OTEPKA, WHO HAD RISEN TO A HIGH STATE DEPARTMENT SECURITY JOB DURING THE EISENHOWER ADMINISTRATION, AROUSED THE TIMES' IRE BY LOCATING A STATE DEPARTMENT OFFICIAL WHO HAD "LEAKED" TO THE TIMES RESULTS OF A SECRET STATE DEPARTMENT SURVEY CONCLUDING THAT U.S. PRESTIGE HAD DECLINED ABROAD.

KENNEDY USED THE SURVEY RESULTS IN HIS CAMPAIGN. BUT DIRKSEN SAID AS A RESULT OF OTEPKA'S INVESTIGATION, THE MAN WHO LEAKED THE STORY WAS FIRED. AFTER KENNEDY ASSUMED OFFICE, DIRKSEN SAID, HE REHIRED THE MAN AND PROMOTED HIM. THE ILLINOIS REPUBLICAN SAID HE DID NOT RECALL THE OFFICIAL'S NAME.

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WASHINGTON CAPITAL NEWS SERVICE

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The Washington Merry-Go-Round

as a special favor for the late Bobby Kennedy. Capell was earlier convicted, along with three other rightwingers, of concocting an unspeakable smear against former California Senator Tom Kuchel.

The Otepka fund-raising appeal also invited readers to subscribe to the John Birch Society's magazine "American Opinion" and the Rev. Billy James Hargis' wild, rightwing publication "Christian Crusade."

Otepka can't claim these drives were conducted without his consent or cooperation. He posed for special pictures taken for the fund-raising publication. In one picture, he posed with Julius Butler, Nicholas Nonnenmacher and others who are active in rightwing causes.

Otepka unhesitatingly accepted more than \$22,000 raised for him by Stewart. Throughout the fund-raising campaign, Otepka also appeared at rightwing rallies and associated with rightwing fanatics.

Despite all this, President Nixon appointed Otepka to a \$36,000-a-year job investigating the subversives who backed him.

When the New York Times published a mild story charging that Otepka had spoken at a rally arranged and attended chiefly by John Birch Society members, Sen. Dirksen wrathfully accused the Times of smearing Otepka. The organized Senator declared that the rally—the God, Family and Country Rally in Boston on April 4—had been headed by the "respected" Dean Clarence Manion.

For Dirksen's information, Manion happens to be a member of the National Council of the John Birch Society.

Note: President Nixon not only appointed Otepka to a \$36,000-a-year job but also named Otepka's rightwing attorney, Roger Robb, to the Federal bench. The Liberty Lobby and John Birch Society are now pushing to get these two men confirmed.

Conflicts of Interest

The closer you look at the appointment of Otto Otepka to the Subversive Activities Control Board, the more difficult it is to understand how President Nixon and Senate GOP Leader Everett Dirksen could endorse him.

Otepka not only received his loudest support but actually collected money from rightwing extremists whose idea of "subversives" includes the late President Eisenhower and the late Sen. Robert Kennedy.

The lobbying drive in Otepka's behalf was led by the Liberty Lobby, which is under the thumb of the Nazi mastermind, Willis Carto. The whole nest of Nazis whom Carto has planted in the shadow of Capitol Hill ought to be investigated by the Subversive Activities Control Board. This would put Otepka in the position of investigating his most vigorous supporters.

The fund-raising drive to help Otepka pay his legal bills was led by James M. Stewart, a rightwing extremist who circulated a special newspaper to solicit money for the cause. The same newspaper also urged the readers to subscribe to a number of rightwing propaganda sheets, including the "Herald of Freedom" published by Frank Capell.

One of Capell's pamphlets carried the fantastic charge that the Communists murdered actress Marilyn Monroe

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Date May 3, 1969

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Congressional Report

Hill Unit Defers Vote On Otepka Nomination

The Senate Judiciary Committee yesterday postponed action on the nomination of former State Department chief security evaluator, Otto F. Otepka, to be a member of the Subversive Activities Control Board.

The delay until May 13 was requested by Sen. Joseph D. Tydings (D-Md.), who said he and Sen. Edward M. Kennedy (D-Mass.) wanted to study the record of the hearing held by a subcommittee on April 15.

Otepka, whose superiors charged him with unauthorized disclosure of personnel files to the Senate Internal Security Subcommittee, a unit of the Judiciary Committee, was praised by Committee members at the hearing two weeks ago for standing fast against what they called harassment for doing his duty.

Senate Republican leader Everett M. Dirksen (Ill.) a strong supporter of Otepka's nomination, said yesterday he had no doubt the Committee

would recommend confirmation.

Oil Import Quota

Rep. Silvio Conte (R-Mass.) and 45 other Congressmen joined to propose legislation to eliminate oil import quotas by 1980.

The bill received strong support from New England Congressmen who are backing a free trade zone and refinery for Maine.

Present regulations prevent all but seven Western states from importing oil amounting to more than 12.2 per cent of domestic production.

Conte proposed raising the quota to 14.2 per cent in 1970, gradually lifting it to 50 per cent in 1979 and eliminating it in 1980.

Mosquito Bite

The Nixon Administration has trimmed the Federal budget by \$905,000 by abolishing a program to control the aedes aegypti mosquito, which is a carrier of yellow fever.

The budget of former President Johnson suggested the

\$905,000 figure to carry on the program during fiscal year 1970, but carried the notation that there had been no cases of yellow fever in the United States for 44 years.

Confirmations

The Senate approved eight Nixon Administration ambassadorial nominations: Kenneth B. Keating, India; Philip K. Crowe, Norway; Val Peterson, Finland; Robert C. Hill, Spain; William J. Handley, Turkey; William Leonhart, Yugoslavia; Alfred Puhon, Hungary; and C. Burke Elbrick, Brazil.

In addition, Marshall Green, a career foreign service officer, was confirmed as Assistant Secretary of State for East Asian and Pacific Affairs.

Crime Committee

Despite a mild protest that crime "has been investigated to death," the House yesterday created a special committee to investigate crime in America and decide whether Congress can do more to fight it. The vote was 343 to 18.

Rep. Claude Pepper (D-Fla.),

principal sponsor of the proposal, was named chairman. Other members are Democrats Martha W. Griffiths (Mich.), Robert N. C. Nix (Pa.) and Jerome R. Waldie (Calif.) and Republicans Albert W. Watson (S.C.), Charles E. Wiggins (Calif.) and Robert V. Denney (Neb.).

Wiggins had voted against creating the committee, saying the Judiciary Committee on which he serves could do the job. But he agreed to take the assignment in hope of finding some answers, such as whether Supreme Court decisions really have hampered police.

From staff reports and news releases

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UPI-118

(OTEPKA)

WASHINGTON--SEN. EDWARD M. KENNEDY, D-MASS., AND THREE OTHER SENATORS ASKED TODAY FOR AN EXPLANATION BY OTTO F. OTEPKA OF HIS "FINANCES AND CONNECTIONS" PENDING FURTHER SENATE ACTION ON OTEPKA'S NOMINATION TO THE SUBVERSIVE ACTIVITIES CONTROL BOARD.

THE REQUEST TO HOLD UP THE NOMINATION FOR THE TIME BEING WAS MADE TO CHAIRMAN JAMES O. EASTLAND OF THE SENATE JUDICIARY COMMITTEE IN A LETTER SIGNED BY SENS. PHILIP A. HART, D-MICH., JOSEPH D. TYDINGS, D-MD., AND QUENTIN BURDICK, D-N.D., AS WELL AS KENNEDY. ALL ARE MEMBERS OF THE COMMITTEE.

OTEPKA WAS APPOINTED TO THE \$36,000 SACB JOB BY PRESIDENT NIXON AFTER YEARS OF FIGHTING DISMISSAL FROM A STATE DEPARTMENT SECURITY JOB FOR GIVING INFORMATION WITHOUT AUTHORIZATION TO SENATE INVESTIGATORS.

THE FOUR SENATORS SUGGESTED THAT THE JUDICIARY COMMITTEE STAFF OBTAIN FROM OTEPKA, OR THROUGH AN INDEPENDENT INQUIRY IF NECESSARY, ANSWERS TO A SERIES OF QUESTIONS.

THEY SAID THEY WANTED TO KNOW THE SOURCE OF OTEPKA'S INCOME, OTHER THAN HIS STATE DEPARTMENT SALARY, SINCE 1961 AND AN EXPLANATION OF THE PRECISE SOURCES AND AMOUNTS OF FINANCING FOR OTEPKA'S LEGAL FEES, LIVING EXPENSES, TRAVEL MONEY AND OTHER EXPENSES DURING HIS FIGHT TO KEEP HIS JOB.

THEY ALSO ASKED FOR INFORMATION ON ANY FORMAL OR INFORMAL CONNECTIONS BETWEEN OTEPKA, THE JOHN BIRCH SOCIETY, THE LIBERTY LOBBY, A CONSERVATIVE GROUP, AND ANY PERSONS OR ORGANIZATIONS ACTIVELY ASSOCIATED WITH THEM.

THE SENATORS ALSO SAID OTEPKA SHOULD BE ASKED FOR HIS OPINION AS TO THE POSSIBILITY THAT INDIVIDUALS OR GROUPS GENERALLY DESCRIBED AS "RADICAL RIGHT" OR THOSE DESCRIBED AS "NAZI" MIGHT UNDER CERTAIN CIRCUMSTANCES POSE A THREAT TO DOMESTIC SECURITY.

IN ADDITION, THE SENATORS ASKED TO WHAT EXTENT THE NIXON ADMINISTRATION HAD INVESTIGATED THOSE AND OTHER MATTERS DURING THE PRE-NOMINATION INQUIRY INTO OTEPKA'S FITNESS FOR THE SACB.

"WE ARE CONFIDENT THAT ALL THE MEMBERS OF THE COMMITTEE JOIN US IN FEELING THAT FAIRNESS TO THE NOMINEE AND TO THE PUBLIC REQUIRES THAT THESE MATTERS, WHICH HAVE BEEN RAISED PUBLICLY, BE AIRD AND RESOLVED WITHIN THE COMMITTEE BEFORE IT PASSES ON THE NOMINATION," THE LETTER TO EASTLAND SAID.

AFTER A ROUTINE HEARING BY A JUDICIARY SUBCOMMITTEE, THE NOMINATION WAS PASSED ON TO THE FULL COMMITTEE LAST WEEK. UNDER COMMITTEE RULES, THE NOMINATION WAS PUT OFF UNTIL MAY 17 AT THE REQUEST OF KENNEDY AND TYDINGS.

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WASHINGTON CAPITAL NEWS SERVICE

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The Washington Merry-Go-Round

Security Chief Job Sought for Otepka

By Drew Pearson

Some significant developments have been taking place backstage regarding Otto Otepka, the one-time State Department official dropped by both Democratic and Republican Secretaries of State for leaking security classified papers to Sen. Tom Dodd of Connecticut.

The first development took place inside the Senate Judiciary Committee last week. Sen. Everett Dirksen (R-Ill.) tried to push confirmation of Otepka to the \$36,000 job on the Subversive Activities Control Board. President Nixon had appointed him to this post, at Dirksen's urging—quite a promotion from his old \$14,000 State Department job.

When Dirksen made this move at a closed session. Sens. Ted Kennedy of Massachusetts and Joe Tydings of Maryland asked to see a transcript of the Otepka hearings. They knew that a subcommittee very friendly to Otepka, including Sen. Dodd to whom he leaked the papers, had passed on his qualifications. And they suspected he had been asked no penetrating questions about his Nazi friends.

Dirksen tried to brush Kennedy and Tydings aside. But chairman Jim Eastland (D-Miss.) ruled that the Senators had a right to read galley proofs of the hearing. So a vote was delayed. It comes to a head this week.

The second development

was revelation of a conspiracy to establish a new security network with Otepka at the top.

The third development was concrete evidence that Otepka has been extremely close to the neo-Nazi movement in the United States.

Thus, as a member of the Subversive Activities Control Board, charged with ruling on subversive organizations, Otepka would be called upon to pass upon the activities of his closest friends and could protect them.

Nazi Links to Otepka

It has now been established beyond any possible doubt that the Liberty Lobby was one of the most indefatigable champions of Otepka. It has further been established beyond any doubt that the Liberty Lobby is a front for the neo-Nazi movement.

At first an effort was made to conceal the links between the Liberty Lobby and the neo-Nazis. Their private link was Willis Carto, founder of both. Now, however, the Liberty Lobby is publicly pushing the sale of paperback editions of "Imperium," the new "Mein Kampf" of Nazism in the United States.

The link between Otepka and the Liberty Lobby has never been concealed. The Liberty Lobby produced and distributed a film, "The Otepka Case." Liberty Lobby bulletins have consistently de-

fended Otepka, consistently hammered his critics.

However, the conspiracy to set up a new security organization is the most significant development of all.

The Subversive Activities Control Board to which Otepka is being appointed has been inactive for years. It hasn't heard a single case of subversion. However, right-wing Senators plan to revitalize it under Otepka's leadership.

To this end they have already made Otepka's former assistant, John Norpel Jr., research director of the Senate Internal Security Committee.

Furthermore, they plan to pass a new Internal Security Act, S. 12, giving Otepka new powers to conduct witch hunts.

Sen. Strom Thurmond (R-S.C.), an author of S. 12, describes it as follows: "The proposed Internal Security Act of 1969, now pending in the Senate, would set up a central security agency for all agencies of Government, under control of the Subversive Activities Control Board.

"If this legislation passes," says Thurmond, "Mr. Otepka will once again deal with security evaluation, not only for the State Department, but for all the Government."

These are some of the vital issues to be discussed behind the closed doors of the Senate Judiciary Committee. The public will not be present. Later, presumably, the issues will

also be discussed on the Senate floor.

Teacher Goldwater

Likable Sen. Barry Goldwater, whose conservative outlook is as hardrock as the landscape of his native Arizona, has taken the Senate's Republican freshmen under his wing.

By his standards they are flaming liberals, but he doesn't seem to be trying to convert them to his conservative philosophy. He merely wants to help them overcome the bewilderment he encountered when he first came to the Senate.

He recalled to friends how his hands sweated and his knees knocked the first time he rose in the Senate to address the chair.

The Justice Corps

David Berger, former District Attorney of Philadelphia, has worked out a new angle to cure crime in the inner cities. It's the "Justice Corps," patterned after the Peace Corps, to work with youngsters in the ghettos.

"Most people view the police and the district attorney's office as their enemy," says Berger. "We have to reverse that and make them think of the police and the D.A. as their friend. They should be symbols of justice, not oppression. If people are in trouble, they can come to the police. They can come to the district attorney."

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The National Observer _____

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Date May 13, 1969

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Birch Links Are Denied By Otepka

United Press International

Otto F. Otepka yesterday denied any connection with the John Birch Society or Liberty Lobby and said he realized the dangers of totalitarianism of either the right or the left.

Otepka, in a report filed with the Senate Judiciary Committee, answered questions raised by Sen. Edward M. Kennedy (D-Mass.) and three other members of the panel about his possible connections with right-wing groups, his income, associations and beliefs.

The Committee is considering Otepka's nomination by President Nixon as a member of the Subversive Activities Control Board, a \$36,000-a-year post.

Otepka was demoted from his State Department security post and then fired by former Secretary of State Dean Rusk, at least partly because he leaked allegedly secret State Department information to the Senate Internal Security Subcommittee.

J. G. Sourwine, the subcommittee's chief counsel, said in a formal reply to Kennedy yesterday that "voluntary contributions from more than 3000 different contributors" paid the \$26,135 legal bill for his attempts to stop Rusk from firing or demoting him.

"Mr. Otepka states he does not have and has not had any formal or informal connections with the John Birch Society, or the Liberty Lobby, or Mr. Willis Carto," Sourwine reported. Carto is a Liberty Lobby official.

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UPI-17

(OTEPKA)

WASHINGTON--THE CASE OF OTTO F. OTEPKA, RESURRECTED FROM YEARS PAST, RETURNS TO THE SENATE TODAY WITH LIBERALS LED BY SENATE DEMOCRATIC WHIP EDWARD M. KENNEDY STILL QUESTIONING OTEPKA'S QUALIFICATIONS FOR GOVERNMENT SERVICE.

PRESIDENT NIXON'S NOMINATION OF OTEPKA TO THE SUBVERSIVE ACTIVITIES CONTROL BOARD, ALREADY ONCE DELAYED AT THE REQUEST OF KENNEDY AND THREE OTHER SENATORS, GOES BEFORE A CLOSED MEETING OF THE SENATE JUDICIARY COMMITTEE AT 10:30 A.M.

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WASHINGTON CAPITAL NEWS SERVICE

Otepka Approved By Senate Panel; Floor Fight Seen

By George Lardner Jr.
Washington Post Staff Writer

The Senate Judiciary Committee approved President Nixon's appointment of Otto Otepka to the Subversive Activities Control Board by a lopsided vote of 12 to 3 yesterday.

Senate Majority Whip Edward M. Kennedy (D-Mass.) indicated he would renew his opposition to Otepka's confirmation in the \$38,000-a-year job when the issue reaches the Senate floor.

"I don't think there is room on the Subversive Activities Control Board for someone whose basis of strength is the support of the John Birch Society and the Liberty Lobby," Kennedy told newsmen.

Senate Minority Leader Everett M. Dirksen (R-Ill.) predicted smooth sailing for Otepka despite the flurry of liberal protests.

Otepka, Dirksen asserted, "had all the answers" at the closed meeting that preceded the vote. He discounted complaints about Otepka's support from members of extremist groups as "awfully weak."

Formerly the State Department's chief security evaluator, Otepka has been lionized by conservatives ever since former Secretary of State Dean Rusk tried to fire him in 1963 for "unauthorized, underground" teamwork with the Senate Internal Security Subcommittee.

Demoted instead, Otepka kept fighting for reinstatement, but he was turned down earlier this year by Secretary William P. Rogers. In March, Mr. Nixon, who had promised Otepka "justice," named him to the SACB.

Waiting in the wings is still another move by Otepka's staunchest supporters on Capitol Hill that could put him in charge of evaluating security risks not just for the State Department but for the entire Executive Branch.

Sponsored by Senate Judiciary Committee

no connection of any kind' with the Birch Society or the Liberty Lobby or Liberty Lobby founder Willis Carto.

The memo was prepared by J. G. Sourwine, chief counsel for the Senate Internal Security Subcommittee. In the report, Sourwine also quoted Otepka as stating that "he does not have and has not had any formal or informal connections with the John Birch Society, or the Liberty Lobby, or Mr. Willis Carto, or any other persons or organizations known to him to be actively associated with any of the above three."

Sourwine said Otepka had met Carto several times and once had luncheon with him but said "nothing was discussed except the legal aspects of Mr. Otepka's case."

The Liberty Lobby, however, has in the past also offered for sale or distribution a 28-minute color film, "The Otepka Case," which, according to the Lobby's brochures, "exposes the skulduggery engaged in by the leftist and pro-Communists in Government departments..."

It had its premiere in Boston at the 1967 New England Rally for God, Family and Country, an annual gathering sponsored by many John Birch Society leaders.

Otepka attended the 1964 Rally and, according to one report, "the roof almost fell in" when he was introduced.

Sourwine's report did not touch on these points nor other claims of ties between Otepka's financial backers and extremist groups. The staff counsel simply quoted James Stewart of Palatine, Ill., or

ganizer of the American Defense Fund, and several officers of the Defenders of American Liberties, another group that helped Otepka with legal expenses, as declaring that they had no connections with the Birch Society or the Liberty Lobby.

James O. Eastland (D-Miss.), Dirksen and others, the bill would set up a new Security Administration for Executive Departments answerable only to the President. Other provisions would permit the chairman of the SACB to double as chief administrator.

The present chairman of the SACB is John W. Mahan, but he is a Democrat and his term expires next year.

Committee approval of Otepka's appointment as a Board member came on the heels of a staff report claiming that the organization supplying most of the financial aid for Otepka's 5½-year legal fight for reinstatement—the American Defense Fund—"has

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Senate Panel Okays Otepka

By the Associated Press

Otto F. Otepka, demoted State Department security officer, has easily won Senate Judiciary Committee approval of his nomination to the Subversive Activities Control Board.

Sen. Edward M. Kennedy, D-Mass., one of three committee members who voted against approval yesterday, indicated he does not intend to try to block confirmation when the nomination is brought up on the Senate floor.

But Kennedy said he will explain his opposition. "I don't think there is room on the SACB for a member whose basis of strength and support is the John Birch Society and the Liberty Lobby," he told reporters.

Senate Republican Leader Everett M. Dirksen of Illinois, top GOP member of the Judiciary Committee, said he is "absolutely satisfied" Otepka has no connection with either the Birch Society or the Liberty Lobby.

The committee vote to recommend Senate confirmation was first announced as 10 to 3, with four members absent. Later Sen. John L. McClellan, D-Ark., was recorded in support of the nomination, making the vote 11 to 3.

Otepka was called into the Judiciary Committee's closed meeting and questioned by Kennedy and others before the vote on his nomination.

Dirksen said Otepka testified he is not a member of the John Birch Society and doesn't know anything about the Liberty Lobby except that he had seen one of its leaders, Willis Carto, on two or three occasions.

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The Washington Merry-Go-Round

THE WASHINGTON POST Tuesday, May 13, 1969 B1

Security Chief Job Sought for Otepka

By Drew Pearson

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The first development took place inside the Senate Judiciary Committee last week. Sen. Everett Dirksen (R-Ill.) tried to push confirmation of Otepka to the \$36,000 job on the Subversive Activities Control Board. President Nixon had appointed him to this post, at Dirksen's urging—quite a promotion from his old \$14,000 State Department job.

When Dirksen made this move at a closed session, Sens. Ted Kennedy of Massachusetts and Joe Tydings of Maryland asked to see a transcript of the Otepka hearings. They knew that a subcommittee very friendly to Otepka, including Sen. Dodd to whom he leaked the papers, had passed on his qualifications. And they suspected he had been asked no penetrating questions about his Nazi friends.

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"If this legislation passes," says Thurmond, "Mr. Otepka will once again deal with security evaluation, not only for the State Department, but for all the Government."

These are some of the vital issues to be discussed behind the closed doors of the Senate Judiciary Committee. The public will not be present. Later, presumably, the issues will

also be discussed on the Senate floor.

Senate Unit Okays Otepka Amid Debate on Birch Links

By ROBERT WALTERS

Star Staff Writer

The staff of the Senate Judiciary Committee has reported that the two organizations which provided most of the financial aid for Otto F. Otepka's four-year legal battle with the State Department had "no connection of any kind" with the John Birch Society or other right-wing groups.

But an independent investigation of the leadership and activities of the two Illinois-based organizations which contributed more than \$23,500 to Otepka's legal fund shows that both have clearly defined ties with numerous extremist groups, including the Birch Society.

Both reports came prior to today's meeting of the Senate committee—and executive session in which President Nixon's nomination of Otepka to fill a vacancy on the Subversive Activities Control Board was approved by a vote of 10-3.

Otepka, who will receive \$36,000 annually if confirmed by the full Senate, attended the meeting and was critically questioned by Sen. Edward M. Kennedy, D-Mass., one of the three dissenting committee members. The other two were Senators Philip A. Hart, D-Mich., and Joseph D. Tydings, D-Md.

Dismissed in '63

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See OTEPKA, Page A-6 Washington Daily News

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The Wall Street Journal

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People's World

Examiner (Washington)

Date

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133 MAY 17 1969

70 MAY 21 1969

ОТЕПКА

Backers Tied to Extremists

Continued From Page A-1
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However, Los Angeles newspapers reported that Morris addressed 700 members of the Birch Society in that city on Jan. 12, 1961. Currently president of the University of Plano in Texas, Morris served for four years as counsel to the Judiciary Committee's Internal Security subcommittee, the unit to which Otepka gave the classified State Department documents.

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UPI-79

(OTEPKA)

WASHINGTON--THE SENATE JUDICIARY COMMITTEE TODAY REJECTED A LIBERAL CHALLENGE TO OTTO F. OTEPKA AND APPROVED THE NOMINATION OF THE CONTROVERSIAL FORMER STATE DEPARTMENT SECURITY CHIEF OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD.

THE VOTE, TAKEN AT A CLOSED COMMITTEE SESSION, WAS 10-3.

BUT SEN. EDWARD M. KENNEDY, D-MASS., SAID HE WOULD CONTINUE HIS OPPOSITION TO OTEPKA WHEN THE NOMINATION REACHED THE SENATE FLOOR IN TWO OR THREE WEEKS.

KENNEDY TOLD NEWSMEN, "I DON'T THINK THERE IS ROOM ON THE SUBVERSIVE ACTIVITIES CONTROL BOARD FOR SOMEONE WHOSE BASIS OF STRENGTH IS THE LIBERTY LOBBY AND THE JOHN BIRCH SOCIETY."

OTEPKA SAT IN ON MOST OF THE COMMITTEE'S 90-MINUTE CLOSED HEARING. HE ANSWERED QUESTIONS FROM COMMITTEE MEMBERS BUT LEFT BEFORE THE VOTE WAS TAKEN.

KENNEDY AND SENS. PHILIP A. HART, D-MICH., AND JOSEPH D. TYDINGS, D-MD., VOTED AGAINST OTEPKA.

VOTING FOR THE NOMINATION WERE CHAIRMAN JAMES O. EASTLAND, D-MISS., AND SENS. SAM J. ERVIN, D-N.C., THOMAS J. DODD, D-CONN., BIRCH BAYH, D-IND., QUENTON N. BURDICK, D-N.D., EVERETT M. DIRKSEN, R-ILL., ROMAN HRUSKA, R-NEB., HIRAM FONG, R-HAWAII, HUGH SCOTT, R-PA., AND J. STROM THURMOND, R-S.C.

EASTLAND SAID THE FOUR ABSENT COMMITTEE MEMBERS WOULD BE PERMITTED TO RECORD THEIR VOTE BEFORE THE ROLL IS CLOSED. BUT THEY COULD NOT AFFECT THE OUTCOME.

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WASHINGTON CAPITAL NEWS SERVICE

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133 MAY 17 1969

Senate Unit Okays Otepka Amid Debate on Birch Links

By ROBERT WALTERS
Star Staff Writer

The staff of the Senate Judiciary Committee has reported that the two organizations which provided most of the financial aid for Otto F. Otepka's four-year legal battle with the State Department had "no connection of any kind" with the John Birch Society or other right-wing groups.

But an independent investigation of the leadership and activities of the two Illinois-based organizations which contributed more than \$23,500 to Otepka's legal fund shows that both have clearly defined ties with numerous extremist groups, including the Birch Society.

Both reports came prior to today's meeting of the Senate committee—and executive session in which President Nixon's nomination of Otepka to fill a vacancy on the Subversive Activities Control Board was approved by a vote of 10-3.

Otepka, who will receive \$36,000 annually if confirmed by the full Senate, attended the meeting and was critically questioned by Sen. Edward M. Kennedy, D-Mass., one of the three dissenting committee members. The other two were Senators Philip A. Hart, D-Mich., and Joseph D. Tydings, D-Md.

Dismissed in '63

Following the closed meeting, Kennedy said he would oppose Otepka's nomination when it comes up on the floor "because I don't think there is room on the SACB for somebody whose basis of strength is the support of the John Birch Society and the Liberty Lobby."

Otepka was dismissed in 1963 from his post as the State Department's chief security evaluator because he passed classified information on supposed security risks to the Internal Security Subcommittee of the Judiciary Committee. After lengthy hearings, he was reinstated but demoted to a lesser position at State. Otepka's confirmation hearing for the new job was conducted last month by a Judiciary subcommittee composed of three of the committee's most conservative members. Senators James Buckley, R-N.Y., D-Mass., John L. McClellan,

D-Ark., and Roman L. Hruska, R-Neb.

The formal committee vote on the nomination was delayed last week because of questions raised about Otepka's finances by four of the committee's most liberal members — Democratic Senators Kennedy, Hart, Tydings and Quentin M. Burdick of North Dakota.

In a May 5 letter to Eastland,

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See OTEPKA, Page A-6

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MAY 21 1969

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Continued From Page A-1

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Donations from 300 Cited

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4 Democrats Ask Probe Of Otepka

By STEVE GERSTEL

United Press International Writer

Sen. Edward M. Kennedy, D-Mass., and three other Democratic senators asked today for an explanation by Otto F. Otepka of his "finances and connections" pending further Senate action on Otepka's nomination to the Subversive Activities Control Board.

The request to hold up the nomination for the time being was made to Chairman James O. Eastland of the Senate Judiciary Committee in a letter signed by Sens. Philip A. Hart, D-Mich.; Joseph D. Tydings, D-Md., and Quentin Burdick, D-N.D., as well as Kennedy. All are members of the committee.

Otepka was appointed to the \$36,000 SACB job by President Nixon after years of fighting dismissal from a State Department security job for giving information on security risks without authorization to Senate investigators.

The four senators suggested that the Judiciary Committee staff obtain from Otepka, or through an independent inquiry if necessary, answers to a series of questions.

They said they wanted to know the source of Otepka's income, other than his State Department

See OTEPKA, Page A-8

OTEPKA

Continued From Page A-1

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They also asked for information on any formal or informal connections between Otepka, the John Birch Society, the Liberty Lobby, a conservative group, and any persons or organizations actively associated with them.

The senators also said Otepka should be asked for his opinion as to the possibility that individuals or groups generally described as "radical right" or those described as "Nazi" might under certain circumstances pose a threat to domestic security.

In addition, the senators asked to what extent the Nixon administration had investigated these and other matters during the pre-nomination inquiry into Otepka's fitness for the SACB.

"We are confident that all the members of the committee join us in feeling that fairness to the nominee and to the public requires that these matters, which have been raised publicly, be aired and resolved within the committee before it passes on the nomination," the letter to Eastland said.

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Congressional Report

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of Otepka Income

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The Washington Merry-Go-Round

Liberty Lobby Carries Weight on Hill

By Drew Pearson
and Jack Anderson

Nobody in Washington would take seriously the small neo-Nazi movement headed by Willis Carto and his front, the Liberty Lobby, were it not for the long list of Congressmen who are in their debt, thanks to campaign contributions.

Today in Washington the Liberty Lobby, thanks to its influence in Congress, has been getting some unpublished results. Its most important triumph is the promotion of Otto Otepka, last remnant of Joe McCarthy's era in the State Department, to a \$36,000 job on the Subversive Activities Control Board. Equally important was the nomination of Otepka's vigorous, right-wing attorney, Roger Robb, to the U.S. Court of Appeals.

It was the persistent cross-examination by Robb of State Department officials, plus the persistent campaign of the Liberty Lobby, plus help from the John Birch Society, which led to Otepka's promotion from the \$14,000 State Department security job, from which he was dropped, to the job on the subversion board at over twice his previous salary.

The facts in the case are extremely important. Otepka got into trouble with Secretary of State Dean Rusk when he took classified papers to Sen. Tom Dodd of Connecticut, later censured by the Senate when

his own files were copied by his employees.

The classified papers which Otepka gave Dodd pertained to the security clearance of several officials, the most important being Walt Whitman Rostow, the MIT professor who became President Kennedy's national security adviser. Rostow's father was a socialist who during World War I so admired socialist leader Eugene Debs that he named one son Eugene Debs Rostow, the other Walt Whitman Rostow, in honor of the great liberal American poet.

Anti-Semitic Overtones

There were anti-Semitic overtones in Otepka's taking classified papers to Sen. Dodd, since Rostow is Jewish.

Rostow became one of the leading hawks of the Kennedy and Johnson Administrations. Many of his friends and associates are convinced that this was to prove he was not pro-Communist, as alleged by Otepka and the Liberty Lobby.

Lawyer Rewarded

Another triumph for the Liberty Lobby is the appointment of Otepka's attorney, Roger Robb, to the D.C. Court of Appeals, second highest court in the United States.

Robb served as attorney for the Atomic Energy Commission when it purged Dr. Robert Oppenheimer during the Joe McCarthy witch-hunting

days. He has represented various other spectacular right-wing or conflict-of-interest clients such as Fulton Lewis Jr., Sherman Adams, Bernard Goldfine and Air Force Secretary Harold Talbot.

Robb is an able, vigorous lawyer. But what makes his appointment to a high court significant at a time when the Liberty Lobby and its leader, Willis Carto, are throwing their weight around is the fact that Robb has also been a power in the exclusive Barristers Club, Washington's only legal organization with a long record of barring Jews and Negroes.

Only one Jewish attorney, Allen Kay, has been admitted in the club's 40 years.

This happened only after Art Buchwald, the columnist, canceled a speech to the club four years ago when he learned they barred Jewish members. Following this, The Washington Post in 1965 and 1966 published two articles revealing that Jews and Negroes were barred.

A Post headline of Dec. 12, 1966, read: "The Barristers Club: Power and Prejudice. 245 Lawyers — All White Gentiles."

On July 13, 1965, the Post quoted club president Hugh R. H. Smith as saying that "there are Jews on the waiting list now." However, it took three years to get the one single Jewish lawyer elected in 1968.

Ten years before, Federal Judge Charles Fahy had re-

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signed from the club in protest against its restrictive membership. He has long sat on the Court of Appeals which Robb will join—if confirmed by the Senate.

Robb, as an inner circle member of the Barristers Club, obviously was familiar with its discrimination policy. He probably did not know about the Nazi sympathies of Willis Carto, founder of the Liberty Lobby, prior to 1966. But in that year this column published the details regarding the Liberty Lobby's and Carto's philosophy, and as a result of a suit brought before the Court of Appeals—and won by this column—the details became familiar to the public, especially to D.C. lawyers.

It's doubtful that President Nixon knew much about the Liberty Lobby's background. The danger is that he deferred to such potent Senators as James Eastland, the big Mississippi cotton planter who is chairman of the Senate Judiciary Committee, and Tom Dodd, a member of the Committee.

Other Committee members who will vote on Robb's and Otepka's confirmations are: Phil Hart (Mich.), Edward Kennedy (Mass.), Birch Bayh (Ind.), Quentin Burdick (N.D.), Joseph Tydings, (Md.), all Democrats: Hiram Fong (Hawaii) and Hugh Scott (Pa.), Republicans.

By MARY McGRORY

Two Faces of Everett Dirksen

It has to be said of Senate Minority Leader Everett McKinley Dirksen that if he gets after his enemies, he looks after his friends.

Within the last month, he has demonstrated both sides of his mercurial nature.

Several weeks ago, he was taking poor Clifford Alexander, chairman of the Equal Employment Opportunities Commission, over the coals for showing too much zeal in harassing "job-givers" who had gentlemen's agreements with the undersecretary of defense.

Then, last Tuesday, the minority leader was demonstrating that he has no prejudice against zeal as such. He was, in the role of chaperon and chief witness, cooing the praises of Otto Otepka, the controversial ousted former State Department security evaluator, who has been named by President Nixon to be a member of the Subversive Activities Control Board.

It was just that Alexander is a Democrat and nothing to him, and Otepka is a Republican and a friend. And the way Dirksen told the story, Otepka got in hot water for serving as an informer to the Senate Judiciary Committee, of which Dirksen is a ranking member.

While diligence can be deplorable in a man overseeing the employment practices of large southern firms receiving government contracts, a security officer who is, amid harassments that Dirksen could hardly bring himself to relate, a man protecting the republic against snoopers, leakers and questionable characters, cannot go too far.

Among Otepka's feats — although how this related to the security of the nation was not clear — was to run to earth the wretch who leaked the se-

cret report on America's declining prestige, which John F. Kennedy used to some effect in the campaign of 1960.

The vindication of the Dreyfus of the right wing brought from Dirksen a bravura performance in a period monologue. His audience, composed of Otepka fans, was plunged back 15 years to the days when Otepka's friend and ally, the late Sen. Joseph R. McCarthy, was running Washington.

The old phrases, robbed of their terror, fell from his lips — "an adverse report from the Air Force on Walt Rostow," and "52 violations of security risk procedures," and "25 violations of 'for official use only' documents."

There was a knowledgeable reference to a "burn-bag" and a gasping aside — "Who is to say that burn-bag wasn't loaded by somebody else?"

"Time after time," said Dirksen, approaching the climax of the sorry tale of many wrongs, "he was transferred, he was pressured, he was snubbed, he was ignored. He was a wreck."

In giving the documents — a purist might have said here that the wording was a trifle too Victorian — "about a certain person" to the Internal Security subcommittee, Otepka had followed a higher law. For who can say that a mere executive order of a president should prevail over a statute, particularly when Otepka had invoked Section 625-B of the code in slipping the documents to the committee?

After this gripping mood piece, the appearance of the martyr himself was something of an anti-climax. Otepka, a man of medium height, is rather like a house detective, alert but a little obsequious. His language could not have

accounted for his many troubles. He talks the prose of the insurance investigator's report.

He was asked exactly two questions by the sympathetic senators of the committee, John McClellan, chairman, James O. Eastland and Roman Hruska, who agree with Dirksen that he has suffered enough. The "hearing" lasted a total of two minutes.

Dirksen has not only protected Otepka; he has preserved the agency he is to go to. The SACB had fallen into disrepute a while back when someone noticed that it did not do anything and was, in fact, forbidden by the Supreme Court to lift a hand. Dirksen, who likes to crusade for the bizarre, singlehandedly saved its life. Now Otepka, fully vindicated, is going to be safely tucked into a \$36,000-a-year job.

John Mitchell, an attorney general with a wry and somewhat cynical humor, promised that SACB would have its hands full looking over records of hard-core student agitators which he proposed to send over.

Harvard, of course, is currently exploding, and if Otepka is sent there to comb out the various subversive factions boiling through the Yard, he will be occupied for life.

The story should end on that happy note. A wrong righted, justice done. But, alas, the New York Times, displaying zeal of the kind that Dirksen found so reprehensible in the case of Alexander, has dug up facts showing that Otepka's defense fund had been raised by John Birchites.

Dirksen promptly labeled the report "a smear." But it does smirch the happy ending a bit. Not that anybody would worry for long about a watchdog who has the minority leader for a watchdog.

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Senators Laud Otepka At SACB-Job Hearing

By William Chapman
 Washington Post Staff Writer

"My name is Otto F. Otepka and I am presently on leave without pay from the State Department."

That was almost the total testimony yesterday from Otepka, the once-controversial security specialist, as he returned to the scene of his former misfortunes on Capitol Hill and ran into the arms of admiring Senators.

The Senators took it from there, promptly making it clear that Otepka would have no trouble from them on the way to his new \$36,000-a-year job on the Subversive Activities Control Board.

"Otepka is ideally suited to serve on the Subversive Activities Control Board," said Sen. Everett Dirksen (R-Ill.).

Otepka, the former State Department chief security evaluator, recently was appointed to the SACB post by President Nixon and yesterday faced the first round of confirmation proceedings before a subcommittee of the Senate Judiciary Committee.

It was to some of the same Senators that Otepka nearly six years ago brought two secret State Department security memos, an action that resulted in his dismissal and a long battle for his reinstatement.

"Time and time again," said Dirksen, his chief patron, "Otepka was promoted, he was demoted, he was shifted, he was transferred, he was pres-

sured, he was snubbed. But he stood firm."

In an impromptu press conference later, Otepka said he favors strengthening the Subversive Activities Control Board, which until recently had very little to do.

Voluntarily on leave without pay for a year, Otepka acknowledged that a large share of legal expenses for his appeals was paid by the American Defense Fund, a conservative organization headed by a Palatine, Ill., businessman.

Asked whether some contributors were members of the John Birch Society, Otepka said, "I'm not responsible for the political orientation of those who want to assist me in seeing that justice was done."

Dirksen angrily attacked a New York Times story and editorial dealing with Otepka and donations from persons associated with the John Birch Society. He said the Times was out to "smear" Otepka.

Later, at a Senate press conference, Dirksen encountered the Times reporter who wrote the story, Neil Sheehan. He told Sheehan he would criticize in detail his story later this year on the Senate floor.

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Otepka Gets Kind Words From Eastland Panel

By DANA BULLEN
Star Staff Writer

Otto F. Otepka, President Nixon's nominee for a seat on the Subversive Activities Control Board, encountered nothing but kind words today at a Senate confirmation hearing.

The controversial former top State Department security evaluator said little himself. He

didn't have to. Four conservative senators said it all for him.

Senate Judiciary Committee Chairman James O. Eastland, D-Miss., said he thought the former State Department aide, demoted in 1963 for allegedly passing information on department employees to the Judiciary Committee without proper authority, had been treated unfairly

"I think you have been punished because you attempted to protect your country," said Eastland, promising to do all he could to secure passage of Otepka's approval to a \$36,000-a-year SACB seat.

Sen. John L. McClellan, D-Ark., praised Otepka's "integrity and ability" and promised his support, too.

Senate Minority Leader Everett M. Dirksen said that Otepka "steadfastly . . . refused" to ease security standards in his former post and subsequently was "demoted," "transferred"

"snubbed" and "harassed" because of this.

The Illinois Republican, who called Otepka "ideally suited to serve on the Subversive Activities Control Board, criticized what he called a recent newspaper effort "to put a John Birch brand" on persons who have associated with Otepka.

The only other senator who showed up, Sen. Roman L. Hruska, R-Neb., also expressed support for the appointment.

Some observers have considered the Otepka appointment a likely kickoff for a new Senate battle over the SACB when it

reaches the floor, but there was no hint of opposition at today's smooth, friendly hearing.

Otepka, besides giving his name, said merely that he presently is on leave without pay from the State Department.

These were no questions of the nominee from the subcommittee.

Answering reporters' questions later, Otepka said he considered his SACB appointment "a complete vindication" after his five-year effort to regain the post from which he was demoted by former Secretary of State Dean Rusk.

Otepka confirmed that he has received \$22,000 from the conservative American Defense Fund and \$5,000 from other sources that he refused to identify to help in his legal and administrative effort to regain his job.

Asked if the money came from "Birchite sources," he said that he was "not responsible" for the political views of persons who chose to aid him.

In answer to a follow-up question about whether he himself was a member of the John Birch Society, Otepka said:

"I certainly am not. I am simply not a joiner."

The nominee, who would replace the late Edward C. Sweeney on the SACB, acknowledged that the agency has had comparatively little to do in recent years.

He said, however, that he expected that the new attorney general, John Mitchell, would be sending "quite a number of cases" to the board.

SACB critics have criticized the little work the board has done.

There has been a continuing tug of war between Senate liberals who believe the board should be abolished and conserv-

ative senators who would expand its role.

After a hearing, the five-member board has authority to register individuals as Communists. Otepka promised that he would support a "full, fair and open hearing" in cases before the board.

His appointment must be approved by the subcommittee that held the confirmation hearing and the full committee before it reaches the floor.

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Hearing Is Set On Otepka Job

Associated Press

A Senate hearing on Otto F. Otepka's nomination to be a member of the Subversive Activities Control Board has been set for April 15.

A Judiciary Committee spokesman said the hearing will be conducted by a three-member subcommittee headed by Sen. James O. Eastland (D-Miss.). The other members are Sens. John L. McClellan (D-Ark.) and Roman L. Hruska (R-Neb.).

Otepka, a former State Department security officer, was nominated for the \$36,000-a-year post by President Nixon.

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the lot of the average peasant is better than ever.

Said *Newsweek*: "While the quality of life in Cuban towns has plummeted in the past 10 years, the lot of the *campesino* in the Cuban countryside has unquestionably improved. If nothing else, the country's small farmers and cane cutters are healthier today than ever before."

Echoed the *New York Times Magazine*: "Outside Havana everyone eats better and the students and farm workers are well fed."

The fact of the matter is that this is simply not so.

Writing in the Jan. 6, 1969, issue of the U.S. Department of Agriculture's periodical "Foreign Agriculture," food expert Wilbur F. Buck says: "When the Castro regime came to power in 1959 the Cubans were one of the best-fed peoples in Latin America. Excessive and indiscriminate livestock slaughter in 1959 and early 1960, however, caused a sharp drop in meat supplies. A decline in the out-put of food crops, especially rice, during Castro's early years in office was precipitated by rapid nationalization of farm properties and the shift in direction of trade."

"The past decade has witnessed a deterioration in the average Cuban's diet, particularly in its quality, as grain protein has replaced much of the animal protein."

"Food production in 1968 is estimated to have been about 10 percent less than the 1957-59 average. But food production per capita has declined some 25 to 30 per cent from that of a decade earlier, necessitating heavy imports of food products, such as wheat and wheat flour from Canada on Soviet account."

Castro's troubles at home, however, are not solely economic. For quite some time there have been indications of social and domestic discontent in Cuba. Castro himself confirmed these rumors in a speech last year marking the eighth anniversary of the establishment of his committees for the Defense of the Revolution. In this talk he spoke of a wave of sabotage and of the rising rate of prostitution among girls in the 14 and 15-year-old age bracket.

He spoke of the opposition of many Cuban university students to his policies, specifically his backing of the Russian invasion of Czechoslovakia. He cited their destruction of photographs of Che Guevara and their burning of the Cuban flag.

And although the Cuban government officially announced only four acts of sabotage during the six-month period prior to Castro's speech, Castro himself admitted in this speech that there had been more than 70.

It is true that under Castro, illiteracy has been reduced. But what good will it do for one to learn how to read, then die of starvation or malnutrition?

This point was made most succinctly on a radio show in the Dominican Republic, "You Be the Jury," in which a Cuban exile asked about life under Castro replied: "Under Fidel's regime, despite what he says about the peasants, it is not so. Things are not the same as he tells the peasants. There is no clothing, no shoes, no nutrition, no entertainment. Then what does it matter if the literacy rate is increased? There is no freedom, no money to spend and nothing to read but Communist propaganda."

OTTO OTEPKA

Mr. THURMOND. Mr. President, it has come to my attention that a major newspaper is in the process of writing a lengthy article or articles on the nomination of Otto Otepka to the Subversive Activities Control Board. According to reports which have reached me from many sections of the country, it is obvious that this newspaper is leaving no stone unturned in a fruitless endeavor

to find material which could be twisted somehow so as to reflect adversely upon Mr. Otepka's character and judgment. The scope of this effort, the length of time which the newspaper has allotted to it, and the number of reporters involved all suggest that this newspaper suddenly is attaching great importance to the Otepka case.

This same newspaper recently described the Otepka appointment editorially as "revolting," and said that his name "recalls immediately some of the worst abuses of the Joseph R. McCarthy era—particularly the reckless use of raw security files." This is a most remarkable statement from a supposedly responsible newspaper. Mr. Otepka was never in any sense an associate of the late Senator McCarthy, whatever one's opinion of that Senator's goals and methods. Furthermore, Mr. Otepka is the last person who might be charged with the reckless use of raw security files, since he was precisely the person in the State Department who was charged with the statutory responsibility of evaluating raw security files—which he did entirely within the closed confidentiality of the security system. Mr. Otepka has never at any time discussed security cases in public, nor did he ever testify or transmit information concerning specific cases to any unauthorized agency.

If anything, Mr. Otepka's name recalls another era and the problems associated with security in that period. Certainly no one would sanction calling our late colleague, Senator Robert Kennedy, a McCarthyite when, as is well known, he was a longtime associate and prominent staff member of the McCarthy investigating committee? Yet, how much more plausible it would be to refer to someone as an associate of Senator McCarthy who was actually an associate of Senator McCarthy, rather than someone like Mr. Otepka who never had any connection with Senator McCarthy in any respect whatsoever. There are some who define "McCarthyism" as "guilt by association," yet this newspaper finds Mr. Otepka guilty without any association whatsoever.

It is, therefore, disturbing when a newspaper that lacks common decency and truthfulness suddenly awakens to the need for "in depth" coverage of Mr. Otepka, and at the very moment when Mr. Otepka's actions have been vindicated by appointment to one of the highest security posts in the Government. This same newspaper never showed great interest when the substantive matters of the Otepka case were being played out in the drama before the Senate Internal Security Subcommittee. At that time, its coverage was perfunctory, or nonexistent, when matters of great concern to this Nation's security were being revealed. Instead of spending its money in transcontinental telephone calls and putting a crew of reporters to work, this newspaper would be better off examining the printed hearings of the Senate Internal Security Subcommittee, and making up for lost ground.

In these hearings, this newspaper would find much which should be of great concern to a newspaper which pro-

fesses liberal attitudes. This newspaper would find there documented cases of wiretapping and eavesdropping, a practice which has been roundly condemned in its editorial columns on nearly any other occasion.

This newspaper would find documented cases of the statutory rights of civil service workers abrogated contrary to law, a practice which I doubt would find editorial approval.

This newspaper would find documented cases of apparent perjury by high Government officials, another situation which should raise its journalistic ire.

This newspaper would find documented cases of denial of due process, and other fundamental constitutional rights, a subject which has always caused its editorial writers to wet their lips.

This newspaper would also find documented cases of the collapse of the State Department's security system. However, judging from its recent editorial, the newspaper could not be better pleased. Its unreasonable prejudice on this issue seems to have caused blindness on every other aspect of the case.

Mr. President, Mr. Otepka has long suffered at the hands of those who believe our security systems should be destroyed, and it is time that he received the justice due to him as a faithful civil servant and loyal patriot. It is time also that his country makes good use of the special talents and loyalty which he has brought to Government service in the past. I am confident that, whatever attacks are made upon him now by irresponsible journalism, the Senate will speedily confirm him when his nomination is brought to the floor.

AMERICAN CASUALTY FIGURES IN VIETNAM

Mr. BYRD of Virginia. Mr. President, it was 1 year ago this week that President Johnson ordered a halt in all bombing north of the 19th parallel in North Vietnam. In October he eliminated all bombing of North Vietnam.

President Johnson's reasoning for his April restrictions and his October prohibition was the hope that this would result in a negotiated peace.

Peace talks began in Paris in early May. It was only recently that the conferees came to agreement on the shape of the table. So far as is known, no other conclusions have been reached. There is no evidence that peace is any nearer today than it was a year ago.

Yet while this country has eliminated all aerial action against North Vietnam, American casualties continue to mount.

It has been my belief for some months that the Paris talks have lulled the American people into a false sense of security and have caused our troops to become the forgotten men.

Let us look at the facts.

During the 14-year period beginning last April, the United States has suffered 95,879 casualties in Vietnam, of which 12,866 were killed.

This is 39 percent of all the casualties the United States has suffered during its long involvement in Vietnam.

To state it another way, of the total casualties suffered in Vietnam, 39 per-

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The Washington Merry-Go-Round

Nixon of Old Is Showing Through

By Drew Pearson
 and Jack Anderson

Last month, for the first time, the old Nixon of the Joe McCarthy days began wearing through the veneer of the new Nixon.

It began when the President appointed Otto Otepka to a \$36,000 job on the Subversive Activities Control Board. Otepka is the State Department official who, spying on other officials, took classified documents to Sen. Tom Dodd of Connecticut and was promptly removed for violating security.

Mr. Nixon followed up his Otepka appointment by naming Otepka's lawyer, Roger Robb, to the second highest court in the land, the U.S. Court of Appeals in the District of Columbia. This is the court which passes on the largest numbers of appeals before reaching the Supreme Court.

Robb, a likeable and able attorney, has represented a long list of right-wing clients, and generally shares their views.

His most notorious client was Admiral Lewis Strauss, then chairman of the Atomic Energy Commission, in the purge of Dr. Robert Oppenheimer, one of the fathers of the atomic bomb. Robb conducted a brutal cross-examination of Oppenheimer after Admiral Strauss had bowed to the late Sen. Joe McCarthy and de-

cided that Oppenheimer must be purged.

Although Robb was successful in ousting the Princeton professor, Oppenheimer was later reinstated by the late President John F. Kennedy. Admiral Strauss, in turn, was defeated for Senate confirmation as Secretary of Commerce.

Robb has also represented such other interesting clients as Secretary of the Air Force Harold Talbott, who was fired by Gen. Eisenhower for a conflict of interest; Richard Mack, the Federal Communications Commissioner who was indicted for a conflict of interest; Bernard Goldfine, who was involved with Sherman Adams in the vicuna coat scandal; and Frederick N. Howser, the Attorney General of California who was proved by jury verdict in a libel suit to have taken a bribe.

During the Johnson Administration, pressure was put on LBJ by Sen. Jim Eastland of Mississippi and Sen. Dodd to appoint Robb to the Court of Appeals. Mr. Johnson did not yield to the pressure.

Since then, Robb has also had the support of his client Barry Goldwater, Sen. Everett Dirksen of Illinois, plus the enthusiastic support of the Liberty Lobby. Mr. Nixon yielded.

Reviving McCarthyism

It was largely Dirksen who maneuvered Otepka's appointment to the Subversive Activi-

ties Control Board. Last spring, after a long fight by Sen. William Proxmire (D-Wis.), Attorney General Ramsey Clark had recommended that the Board be disbanded. It was costing the taxpayers about \$750,000 a year but hadn't decided a single case for years. A hangover of the old McCarthy days, it was supposed to pass on subversive organizations. However, Dirksen had appointed a friend, John S. Patterson, to the board. He made a deal with LBJ that if Mr. Johnson would continue it, he, Dirksen, would push the confirmation of Abe Fortas as Chief Justice.

Thus was the Subversive Activities Control Board saved from oblivion. The Otepka case has now dragged on for five years. On Sept. 23, 1963, Otepka, then chief of the Evidence Evaluation Division of the State Department's Office of Security, was charged with violating 13 regulations by giving confidential information to the Senate Internal Security Committee, of which Sen. Dodd is the chief sparkplug. On Nov. 5, 1963, Otepka was suspended. Sen. Dodd hit the ceiling.

He harangued the State Department with dire warnings regarding the future.

Subsequently, Secretary Rusk got nervous, backed down part way, permitted Otepka to draw a salary for six years though not allowed to do the work for which he was hired, because he was not

trusted regarding confidential papers.

There followed long-drawn-out hearings, with Otepka's lawyer, Roger Robb, demanding that the State Department reinstate Otto to his original job. But the State Department stood firm. Came the election of Mr. Nixon, and his new Secretary of State William P. Rogers, who also stood firm.

Whereupon the new Nixon gave way to the old Nixon, and Otepka was appointed to the Subversive Activities Control Board. With this went an increase in salary from \$14,000 to \$36,000.

Capital Chaff

British Minister of Defense Dennis Healey flew to the Eisenhower funeral economy class, his knees tucked up under his chin. Lord Mountbatten, cousin of the Queen, flew to Ike's funeral in a Royal Comet jet. He did not bring the British Labor delegates along. It was the difference between being the Queen's representative and the representative of an economy-minded British Labor government. . . . When President Nixon called on President de Gaulle last month, he drove up to the Palace Elysee in a bulletproof Cadillac. The Secret Service had shipped it aboard for the occasion. When De Gaulle drove up to see President Nixon last week, he arrived in a small French Citroen.

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 The New Leader

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Fund With Birch Society Ties Helped Otepka in State Department Job Fight by Paying Legal Debts

By EIL SHEEHAN

Special to The New York Times

WASHINGTON, April 3—A fund with John Birch Society associations has paid about 80 per cent of the \$26,500 in legal costs incurred by Otto F. Otepka in his four-year fight to win reinstatement as the Department's chief security evaluator.

James M. Stewart, who runs the American Defense Fund, said that \$22,000 had been given to Mr. Otepka, who has been nominated by President Nixon to the Subversive Activities Control Board.

While the fund was publicizing his dispute with the Department to solicit money on his behalf, Mr. Otepka also spoke to gatherings at the homes of Birch Society activists and to a large meeting of 700 to 800 persons in the auditorium of another ultra-conservative organization the Flick-Reedy Education Enterprises in Bensenville, Ill.

There is no apparent illegality in Mr. Otepka's acceptance of the legal fees. But he has been a figure of controversy in the past and thus the legal fees and the question of his association with Birch members may become a matter of dispute if the Senate Judiciary Committee proceeds with its tentative plan to hold a confirmation hearing on his nomination after the Easter recess.

Links to Birch Events

An investigation showed that Mr. Otepka's association with Birch members has been considerable over the last several years.

Last summer he attended the four-day annual God, Family and Country rally in Boston organized by Birch Society leaders. The rally chairman is Col. Laurence E. Bunker, a member of the Birch National Council.

Gordon D. Hall, the lecturer and authority on extremist groups, said he had seen Mr. Otepka autographing glossy, 8 by 10 inch photographs of himself beside the fund's display booth in the Statler-Hilton Hotel, where the rally was held.

Mr. Hall said that another eye witness had told him that Mr. Bunker had formally introduced Mr. Otepka to an

assembly of the participants in the rally.

Medford Evans, book review editor for the Birch Society magazine and managing editor of the segregationist White Citizens' Council weekly, said that Mr. Otepka had taken a modest part in two political seminars at the rally.

Mr. Otepka declined to discuss his appearances at the homes of Birch Society activists on the grounds that these were "private activities." He contended that the large gathering at the Flick-Reedy auditorium had also been a "private meeting."

No "Ideological" Discussion

Asked if he was aware of the Birch Society membership of his hosts on these occasions and at the Boston rally, Mr. Otepka said, "I am not going to discuss the ideological orientation of anyone I am associated with."

He gave a similar answer when asked about the Birch Society Associations of Mr. Stewart, the American Defense Fund head.

Mr. Otepka would not say why he had given the talks, but he maintained that "I have at no time engaged in any activities to solicit funds."

In his struggle to win reinstatement, Mr. Otepka has received \$22,000 from the fund and \$4,500 to \$5,000 from sources he would not disclose.

He was originally dismissed in 1963 for passing classified documents to the Internal Security Subcommittee of the Senate Judiciary Committee without authorization.

After lengthy hearings, former Secretary of State Dean Rusk formally reprimanded him in December of 1967 and demoted him to what Mr. Otepka called a "clerical job" that paid about \$5,000 less than the \$20,585 he drew as a security investigator.

He is now on leave without pay. The position on the subversive activities board pays \$36,000.

Mr. Otepka said he had gone to the Boston rally because he and his wife like the "seashore air" and he happened to be in the city on vacation. He said he did not remember autographing any photographs and would not

say if he had participated in the seminars.

Mrs. Harold N. McKinney, a Birch Society chapter leader who is the rally's executive secretary, said Mr. Otepka had come as an invited guest.

She said she had known Mr. Otepka before he had been suspended in 1963 and that he had been "very helpful" in arranging for speakers at meetings in the Boston area.

Colonel Bunker, former aide de camp to the late Gen. of the Army Douglas MacArthur, said the rally was not a Birch Society activity and was just a gathering of conservatives, but Mr. Evans said "at least half the people there were John Birchers" and while the rally was not an official function of the society "there is a lot of overlap."

Tolson ☒
DeLoach ☒
Mohr ☒
Bishop ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

CD [signature]
Staff [signature]
[signature]
[signature]

The Washington Post _____
Times Herald _____
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times 40 _____
The Sun (Baltimore) _____
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Examiner (Washington) _____

APR 4 1969

Date

161-6231-A
NOT RECORDED

46 APR 17 1969

File
[signature]

APR 1 1969

A number of the exhibitors are official Birch Society fronts, including the anti-civil rights Truth About Civil Turmoil Committee. Others are independent ultraconservative organizations, including the anti-Semitic magazine, The American Mercury.

Julius Butler, a Birch Society chapter leader in Oak Brook, Ill., said Mr. Otepka had spoken to groups "of 15 to 20 or 30 or 40 people" at Mr. Butler's home four or five times over the last several years. "He comes here whenever he comes to Chicago," Mr. Butler said.

Mr. Butler said that in addition to explaining his dispute with the State Department, Mr. Otepka also talks about treason in high places in Washington "and all the other horrible things that are taking place."

He said Mr. Otepka never solicited money at any of these gatherings but that Mr. Stewart might have occasionally mentioned how much the fund had collected for Mr. Otepka up to that date.

Among other activities, Mr. Butler was an original member of the Emergency Committee Against Having Soviet Spies in Chicago, created in early 1967 to oppose the consular treaty with the Soviet Union.

He said in a telephone conversation that he was now concerned with the "unconstitutional" use of welfare funds "to support illegitimate chil-

dren" and with the Federal Reserve banking system. "It's illegal," he said.

Jay Klopfenstein, the chief organizer of the antispy committee and a Birch chapter leader in Evanston, Ill., said he had heard Mr. Otepka speak twice in the last several years, once at the Flick-Reedy auditorium and gain to a gathering at the home of a "friend" in Glencoe, Ill. He said Mr. Otepka had struck him as "a very capable, cold analyzer of subversives."

He said he had not particularly been impressed with Mr. Otepka's oratorical talents, "but I wouldn't expect a subversive

analyzer to be a good public speaker."

Mr. Klopfenstein said he had subsequently received circular letters of appeal from Mr. Stewart and made several modest contributions.

Jerome F. Coniker, a Birch chapter leader in Deerfield, another Chicago bedroom community, said he had heard Mr. Otepka speak "a few times" to "small groups of 30 or 40 people" at the homes of friends.

He confirmed that one occasion was at the home of Jay R. Sheesley, a wealthy Glencoe resident who is a fund raiser for the Birch Society.

Mr. Sheesley was also a

principal financial backer of a short-lived private elementary school for the children of ultraconservative families in his area. German was taught in junior kindergarten.

Mr. Stewart, a 39-year-old advertising executive of Palatine, Ill., would neither affirm nor deny whether he was a member of the Birch Society. "I am not answering the question," he said, "because it is irrelevant."

He said he does subscribe to Birch Society publications as well as to those of other ultraright organizations because "I am in accord with their endeavors."

Mr. Stewart was formerly assistant director of the "educational" program of the Flick-Reedy organization. Frank Flick, the president of the Flick-Reedy Electronics Corporation, has cooperated with Birch Society leaders in political endeavors.

Mr. Stewart was a speaker at the annual Boston rally in 1965 and has set up an exhibition booth for the fund there in the years since.

Colonel Bunker, the Birch National Council member who organizes the rally, said he "would assume" that Mr. Stewart is a member of the so-

ciety, "but I can't vouch for it."

He said he had known Mr. Stewart "over the years" and recalls meeting him on several occasions at receptions at Birch Society book stores when the national council was meeting in the Chicago area.

Mrs. McKinney, the rally's executive secretary, said she had also been associated with Mr. Stewart in one endeavor or another "for years."

Last Sunday Mr. Stewart appeared on the Chicago television program of Dean Clarence Manion, another Birch National Council member, and praised President Nixon's nomination of Mr. Otepka.

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Gale *[Signature]*

FROM : W. V. Cleveland *[Signature]*

SUBJECT: OTTO FRED OTEPKA
SPECIAL INQUIRY - WHITE HOUSE

DATE: 3/28/69

P

By memorandum dated 3/21/69 (attached), it was set forth that the Deputy Attorney General's (DAG) Office had requested results of previous investigations regarding Otepka, who on 3/19/69 was nominated for appointment to the Subversive Activities Control Board. The DAG's Office stated they desired this information for Senator Eastland, Chairman of the Senate Committee on the Judiciary. This memorandum pointed out that the only investigation conducted by the Bureau of Otepka was an espionage and Theft of Government Property investigation conducted at the request of the Department of Justice in connection with allegations that Otepka, in 1963, allegedly furnished State Department documents to the Senate Internal Security Subcommittee. It was recommended and approved that we tell the DAG's Office that we had already furnished complete details of our investigation of Otepka to the Department. *ad*

On the afternoon of 3/27/69, a request was received from the White House for a full field investigation of Otepka. Such an investigation would entail lengthy and expensive investigative operations should an attempt be made to fully cover all of the highly controversial matters involving the Otepka case which has been a constant sword of contention since 1963 and is today still unresolved.

OBSERVATIONS:

The Otepka case has been extensively "tried" in the press for a number of years. It has been the subject of Civil Service Commission hearings, Congressional hearings, State Department hearings, and was investigated from an espionage

[Signature]
Enclosure

1-ENCLOSURE

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Sullivan
1 - Mr. Gale

161-6231-3

1 - Mr. Cleveland
1 - Mr. Egan
1 - Mr. Connell
1 - Mr. Young

a

WVC:dbh
(9) *[Signature]*

CONTINUED - OVER

NOT RECORDED

12 APR 25 1969

54 MAY 26 1969

Memorandum to Mr. Gale
Re: OTTO FRED OTEPKA

and Theft of Government Property standpoint by the Bureau and the results reviewed by the Department of Justice. The collection of documents alone covering all of these hearings would be extremely voluminous. It is therefore felt that the full field investigation to be conducted for the White House should be aimed at determining the character, loyalty, general standing, and ability of Otepka, and the investigation should not be allowed to go off on a tangent to rehash all of the action that has transpired in connection with Otepka's dealings with the Senate Internal Security Subcommittee.

ACTION:

If approved, a full field investigation will be opened in connection with Otepka and the field will be specifically instructed to restrict their investigation to determining Otepka's character, loyalty, general standing, and ability. At the time this summary is forwarded to the White House, it will clearly be set forth that the current investigation has been restricted to these items and that no effort has been made to collect and document all the activity regarding Otepka's dealings with the Senate Internal Security Subcommittee.

[Handwritten initials: P, V, JH, MK, H, and others]

file under Otepka

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Gale

DATE: 3/21/69

FROM : W. V. Cleveland *WV*

SUBJECT: MAURICE BERNARD MITCHELL
AND OTTO F. OTEPKA

Connell

On 3/21/69 John T. Duffner, Executive Assistant to the Deputy Attorney General, telephonically requested copies of results of our previous investigations of Maurice Bernard Mitchell and Otto F. Otepka. He stated Mitchell has been nominated for appointment to the U.S. Civil Rights Commission and Otepka has been nominated for appointment to the Subversive Activities Control Board. He said he desired this information for Senator Eastland, who is Chairman of the Senate Committee on the Judiciary.

We investigated Maurice Bernard Mitchell in October, 1968, at which time he was under consideration for appointment to the U.S. Civil Rights Commission. The investigation showed that Mitchell at that time was Chancellor of the University of Denver and our inquiries were favorable. Otto F. Otepka is the controversial former State Department employee who while testifying before the Senate Internal Security Subcommittee in 1963 allegedly furnished State Department documents to that subcommittee. As a result he was severely admonished and removed from his position at the State Department. The only investigation conducted was an Espionage and Theft of Government Property investigation conducted at the request of the Department of Justice in connection with the aforementioned incident. Detailed results of those investigations have previously been furnished to the Department.

ACTION:

The Office of the Deputy Attorney General is being furnished a copy of our summary memorandum containing the results of our 1968 investigation of Mitchell. It is also being advised that the only investigation we conducted concerning Otepka has already been furnished to the Department.

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Sullivan
1 - Mr. Gale

✓ 1 - Mr. Cleveland
1 - Mr. Egan
1 - Mr. Connell

JFC:jmm
(8)

16-6231-3
ENCLOSURE

MONDAY, MARCH 24, 1969

437

voyage by a steamship, the SS *Savannah*, on May 22, 1819, as National Maritime Day, and requested the President to issue a proclamation annually in observance of that day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby urge the people of the United States to honor our American Merchant Marine on May 22, 1969, by displaying the flag of the United States at their homes and other suitable places, and I request that all ships sailing under the American flag dress ship on that day in tribute to the American Merchant Marine.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of March, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-third.

RICHARD NIXON

[Filed with the Office of the Federal Register, 4:21 p.m., March 19, 1969]

Lumber and Plywood Prices

Announcement of Presidential Actions on Task Force Recommendations. March 19, 1969

The President today announced a series of actions aimed at easing the price pressure on lumber and plywood which has contributed to the increasing costs in housing construction.

The actions were recommended by a task force of the Cabinet Committee on Economic Policy headed by Budget Director Robert P. Mayo.

Today's actions would cut back government purchases and make available for sale the equivalent of an additional 1.1 billion board feet of timber. The actions include:

1. The President has requested Defense Secretary Laird to issue a directive restricting Defense Department procurement of softwood lumber and plywood to the minimum consistent with essential military requirements.

2. The Department of Agriculture will request a supplemental appropriation for fiscal year 1969 and an increased appropriation for 1970 to provide additional timber from national forests for immediate sale.

3. The Department of the Interior will request a supplemental appropriation for the Bureau of Indian Affairs and an authorization for fiscal 1970 for the Bureau of Land Management out of funds now held to make available increased timber for sale by these two bureaus.

4. The Interstate Commerce Commission has issued orders designed to relieve the shortage of boxcars used to move lumber and plywood from the Northwest.

When the task force was appointed March 8, the President expressed concern over the sharp price increases

of lumber and plywood and the resulting impact on the cost of building single family homes and small apartments. The task force will continue its review of the entire situation and will recommend long-term policies for facilitating supply and demand adjustment in the industry.

In addition to the Budget Director, the task force is composed of the Secretaries of Agriculture, Housing and Urban Development, Interior, Commerce, Labor, the Attorney General, and the Chairman of the Council of Economic Advisers.

Subversive Activities Control Board

Announcement of Intention To Nominate Otto F. Otepka as a Member. March 19, 1969

The President today announced his intention to nominate Otto F. Otepka of Wheaton, Md., as a member of the Subversive Activities Control Board.

Otepka was born in 1915 in Chicago, Ill. He joined the Government as a member of the Civilian Conservation Corps in 1934. From 1936-1939 he worked as a clerk in the Farm Credit Administration, then transferred to the Bureau of Internal Revenue where he worked until 1942. He worked as an investigator for the Civil Service Commission from 1942 to 1943 and from 1946 to 1947, and as a technical consultant for the Civil Service Commission from 1947 to 1953. Otepka served in the Navy from 1943 to 1946.

Entering the Department of State in June 1953 as an evaluator in the Office of Security, Otepka became Acting Chief of the Division of Evaluations in August of 1953 and Chief of the Division in April 1954. In April 1957 he was named Deputy Director of the Office of Security. In 1962, he again became Chief of the Division of Evaluations.

He is a graduate of Catholic University and is married to the former Edith Simon. They have one daughter.

Marine Corps

Announcement of Intention To Nominate Maj. Gen. Louis B. Robertshaw for Promotion to the Rank of Lieutenant General. March 19, 1969

The President today announced he intends to nominate Marine Maj. Gen. Louis B. Robertshaw for promotion to the three-star rank of lieutenant general.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 2 1969

TELETYPE

FBI WASH DC*

FBI ST LOUIS

1047 AM URGENT 4-2-69 GMC

TO: DIRECTOR, WASHINGTON FIELD

FROM: ST. LOUIS (161-NPRC-M)

OTTO FRED OTEPKA, SPI

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

MR. CLEVELAND
ROOM 12

P RECORD, NPRC, CPR, ST. LOUIS, INDICATED OTTO FRED OTEPKA,
ENROLLED IN CIVILIAN CONSERVATION CORPS JULY TWENTY-THIRD, THIRTY-
FOUR TO OCT. FIVE THIRTY-FIVE AND RECEIVED HONORABLE DISCHARGE.
BORN MAY SIX, FIFTEEN, CHICAGO, ILL.

ADMINISTRATIVE:

REBUTEL, MAR. TWENTY-EIGHT, LAST. BUDED: APRIL FOUR
NEXT WITHOUT FAIL.

REPORT FOLLOWS.

FOR INFORMATION OF WASHINGTON FIELD, PERSONNEL NPRC, UNABLE
TO LOCATE EMPLOYMENT RECORD FOR OTEPKA FOR EMPLOYMENT AS LISTED
ON REBUTEL, SUBSEQUENT TO CCC ENROLLMENT, AND ADVISED CONSOLIDATED
OPF COULD POSSIBLY BE LOCATED STATE DEPARTMENT, WASHINGTON D. C.

END PAGE ONE

TELETYPE TO: ^b
34 MAY 26 1969

cc destroyed
4-23-69 PS

GAR

PAGE TWO

WASHINGTON FIELD REVIEW OFF.

P

END

GMJ

FBI WASH DC*

^

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 4/3/69	INVESTIGATIVE PERIOD 4/2/69
TITLE OF CASE OTTO FRED OTEPKA		REPORT MADE BY IC 	TYPED BY mck
		CHARACTER OF CASE SPI	

REFERENCE: Butel to WFO, 3/28/69.
St. Louis tel 4/2/69.

STATUS:

- RUC -

- A* -
COVER PAGE

Case has been: Pending over one year ☐ Yes ☐ No; Pending prosecution over six months ☐ Yes ☐ No

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

1 - Bureau AM

1 - St. Louis (161-NPRC-M)

SL FILE WILL BE
DESTROYED IN 120 DAYS

161-6231-5

NOT RECORDED

8 APR 7 1969

Dissemination Record of Attached Report

Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

Spec *[Signature]*

166
54 MAY 26 1969

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

IC [REDACTED] b6

Office:

ST. LOUIS

Date:

April 3, 1969

Field Office File #:

SL 161-NPRC-M

Bureau File #:

Title:

OTTO FRED OTEPKA

Character:

SPECIAL INQUIRY

Synopsis:

OTTO FRED OTEPKA served in U.S. Navy. Received honorable discharge. OTTO FRED OTEPKA served in the Civilian Conservation Corps. Received honorable discharge.

-RUC-

DETAILS: AT ST. LOUIS, MISSOURI

A review on April 2, 1969, of the military service records on file at the Military Personnel Records Center for OTTO FRED OTEPKA, Serial Number 836 75 34, indicated he enlisted in the United States Naval Reserve on September 25, 1943, and served inactively until October 2, 1943, when he entered on active duty at Washington, D.C. He served on active duty until March 5, 1946, and was honorably discharged as a Specialist First Class at Shoemaker, California, by reason of expiration of enlistment.

His military occupation was shown as Specialist First Class. Records failed to indicate he performed any foreign service. He was awarded the American Area Medal and the World War Two Victory Medal.

His character and efficiency ratings ranged from good to excellent, and there was no record of courts-martial or absence without official leave.

The date and place of birth were shown as May 6, 1915, at Chicago, Illinois.

A review on April 2, 1969, by IC [REDACTED] b6 of the personnel records, National Personnel Records Center

SL: #161-NPRC-M

(Civilian Personnel Records) St. Louis, Missouri, indicated that OTTO FRED OTEPKA was enrolled in the Civilian Conservation Corps on July 23, 1934, at Fort Sheridan, Illinois. He was honorably discharged on October 5, 1935, at Camp Salt Creek, Illinois, to accept employment.

During his Civilian Conservation Corps enrollment he performed duties of reforestation.

The date and place of birth were shown as May 6, 1915, at Chicago, Illinois.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 4/4/69	INVESTIGATIVE PERIOD 4/1 - 4/4/69
TITLE OF CASE CHANGED OTTO FRED OTEPKA aka Otakar Otepka +		REPORT MADE BY SA 	TYPE b6 mg
		CHARACTER OF CASE SPI 2240	

9
1/1/1
Title changed to show name OTAKAR OTEPKA was obtained from birth record at Chicago, Illinois, during background investigation conducted by State Department, Security Office.

REFERENCES: Bureau teletype to WFO, dated 3/28/69.
SL teletype to Bureau, dated 4/2/69.

- P -

ADMINISTRATIVE

WFO file 65-9038 (Bufile 65-68266) entitled OTTO F. OTEPKA, Espionage-X refers to investigation of appointee conducted in 1963 concerning classified documents which OTEPKA

ACCOMPLISHMENTS CLAIMED						ACQUIT-TALS	CASE HAS BEEN:																					
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES																							
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO																					
APPROVED 701 COPIES MADE: ① - Bureau 1 - WFO (161-5685)						SPECIAL AGENT IN CHARGE DO NOT WRITE IN SPACES BELOW 161-6231-7 RECORDED 12 APR 25 1969 MCT-40 REC-24 ST-117																						
								Dissemination Record of Attached Report <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Agency</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>Request Recd.</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>Date Fwd.</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>How Fwd.</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td>By</td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>		Agency					Request Recd.					Date Fwd.					How Fwd.			
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COVER PAGE

WFO 161-5685

furnished to the Senate Committee on the Judiciary. WFO file does not disclose only subversive activity on the part of OTEPKA ^{whose} ~~and his~~ case was publicly aired in the newspapers over the years. There was no indication of any prosecuted ^{against} ~~ive~~ action taken ~~on~~ OTEPKA for his action and ~~reported possibly no~~ violation of Title 18, U. S. Code 793 (d) (espionage) and Title 18, U. S. Code 2071 (unlawfully removal of Government documents). His case involved the violation of a Presidential directive ^{for} ~~against~~ an unauthorized person of the Executive Branch of the Government furnishing unauthorized information to the Legislative Branch and the action ~~taken~~ in this case was administrative. At the present time OTEPKA is on leave without pay from the State Department and has been nominated by the President of the United States for membership ~~within~~ ^{on} the Subversive Activities Control Board. WFO file contained no information deemed pertinent for inclusion in instant report.

LEADS: WFO. CSC, CIA, Passport, ~~State Department, Security~~
~~Office~~ ~~Office file~~, IRS, and U. S. Secret Service out. ~~Maryland~~
~~Senators~~, ^{and} Other acquaintances, record check Farm Credit
Administration out.

- B* -

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]

Office: Washington, D.C. b6

Date: 4/4/69

Field Office File #: 161-5685

Bureau File #:

Title: OTTO FRED OTEPKA

Character: SPECIAL INQUIRY

Synopsis: Employments with the Department of State, CSC, IRS, and Farm Credit Administration verified from Official Consolidated Personnel File maintained at State Department. Appointee received several commendations during his employment at the State Department, but later was reprimanded and advised that his work was not of an "acceptable level of competence." Since 4/16/68, his status has been "leave without pay." Acquaintances at the CSC comment favorably concerning appointee and recommend him. Neighborhood acquaintances of long standing verify residence for appointee, wife, and daughter and recommend. Credit satisfactory. Police agencies negative. No additional pertinent information HCIS. Newspaper morgues contained no additional pertinent information.

- P -

DETAILS: AT WASHINGTON, D.C.EMPLOYMENT

WFO

161- 5685

The White House Office

[REDACTED] PERSONNEL OFFICER, advised SA GEORGE E. SAUNDERS on April 4, 1969, that the files of her office contain no record of appointee.

[REDACTED] Chief of Records, advised the files contain the following information concerning appointee:

b6

Nominated 3/20/69 as a Member of the Subversive Activities Control Board.

Subversive Activities Control Board

On April 4, 1969, [REDACTED] to the Chairman of the Board, advised that appointee is unknown among personnel at the SACB. He has not yet entered on duty there.

WFO 161-5685

JER:jmg

1

Treasury Department

The following investigation was conducted by SA b6
 at the Treasury Department on April 3, 1969.

The files of the Security Office and the Personnel Office, Treasury Department, contain no information regarding the appointee. Employees of these offices could furnish no names of individuals presently employed with Treasury who were acquainted with or were co-workers with OTEPKA.

WFO 161-5685

JTF:c11

1

Civil Service Commission

The following investigation was conducted by
Special Agent [redacted] on April 2, 1969, in
Washington, D. C.:

b6

EMPLOYMENT

[redacted] Receptionist, Personnel
Division, Civil Service Commission (CSC), advised that their
office maintains no personnel record on any individual
employee for more than ten years following his termination
of employment and they have no present employment record
there concerning the appointee.

[redacted] of Washington Division
of Investigation, CSC, advised that he has known the appointee
since about 1946 when the appointee went to work in a security
research section at CSC. [redacted] said he was closely
associated with the appointee at work until 1953 when the
appointee resigned his position to accept a better job at
the United States Department of State (USDS) and he continued
his association socially with the appointee until about 1966
through a poker club to which they both belonged. He stated
that he also is acquainted with the appointee's wife, daughter,
father, and a brother, and he has the highest regard for
all the family. He informed that from all his association
with the appointee he found him to be of excellent reputation,
character, and associates and a loyal American. [redacted]
described the appointee as a competent and hard working
employee who was dedicated to the loyalty program of the
Federal government at the time he worked at CSC. [redacted]
informed that he recently read in the newspaper of the
position to which the OTEPKA has been appointed and he
would recommend him highly as fully qualified for such a
position dealing with subversive activities.

[redacted] stated that he would have no doubt,
but that the appointee would be eligible for rehire at CSC
based on his previous employment there.

[redacted] of Postal Examining Division, CSC, advised that he has been acquainted with the appointee since 1942 when the appointee worked as an investigator prior to entering the armed forces and he knew the appointee from about 1946 to 1953 after the appointee returned to the CSC following the war. He informed he worked with the appointee on a daily basis from about 1948 to 1953 and from all this association he found the appointee of unquestionable good character, reputation, and associates and a loyal American. He described the appointee as a personable, trustworthy, competent individual. [redacted] related that the appointee's wife has been a teacher in Montgomery County, Maryland, in the past and taught their daughter in about the third grade a number of years ago. [redacted] said his whole family was highly pleased with the appointee's wife at the time they knew her.

(1)

b6

[redacted] informed that the appointee left the CSC in 1953 for a higher paying position at the USDS and he was certain the appointee's employment at CSC was completely satisfactory in every way at the time he left.

[redacted] Bureau of Personnel Investigations, CSC, stated that he was associated with the appointee from 1951 to 1953 as a fellow employee when the appointee was an Assistant Chief of a Security File Section at CSC and he saw the appointee socially on four or five occasions between 1953 and 1966. He informed that he considered the appointee a highly competent, trustworthy employee and said he has never had the slightest reason to question the appointee's reputation, character, associates or loyalty. He said he would recommend the appointee for a position of trust in the government from his personal knowledge of him.

(2)

[redacted] Division of Program Planning and Management, CSC, informed that he was closely associated with the appointee at CSC from about 1950 to 1953 and also saw him socially as they were on the same bowling team during this period. He described the appointee as involved in security research functions at CSC during this period and said the appointee was completely dedicated to the government's loyalty program then. He said from all his association with the appointee he never had the slightest reason to question his character, reputation, associates, or loyalty. [redacted] described the appointee as an extremely capable and trustworthy government employee. He said he is aware of problems the appointee had while employed at USDS concerning a leak of information to a Congressional Committee from what he read in the newspapers only, and from his own personal knowledge of the appointee he would recommend him for a position of trust in the government.

see down

[redacted] to the Assistant to Deputy Executive Director of CSC, stated that she was acquainted with the appointee from about 1948 to 1953 and worked under the appointee in a loyalty file section at CSC. She said that in addition to daily contact with the appointee at work she saw him socially on the same bowling team at CSC for three or four years and from all her personal knowledge concerning the appointee she had nothing but the highest regard for him. She said the appointee was of excellent character, reputation, and associates and there was not the slightest doubt of his loyalty to the United States. [redacted] added that she had met the appointee's wife on several social occasions and had the highest regard for her.

(3)

[redacted]
[redacted] United States Arms Control and Disarmament Agency, advised that he was associated with the appointee as a fellow employee at CSC from about 1948 to 1953 and at USDS in the same capacity from 1955 to 1962. He informed that in addition to this he saw the appointee socially as a member of the same bowling team at CSC and as luncheon partners on an average of three times a week from 1948 to 1962 and still sees him occasionally as a friend. [redacted] related that the appointee's work at the CSC was concerned with the government's loyalty program and he considered the appointee one of the most knowledgeable employees in the Federal government regarding loyalty and Communist Party matters.

[redacted] said that the appointee worked in the Office of Security at USDS and received a great deal of bad publicity about 1962 when he reportedly leaked information from USDS security files to a Congressional Committee. [redacted] said he did not know if the appointee was guilty of the leak of information, but he did know that at that time there were individuals within the USDS who were trying to get the appointee removed from his job and for about one year and a half prior to this alleged information leak the appointee was under tremendous mental and emotional stress in an effort to keep his job.

[redacted] stated that except for the questionable leak of information, concerning which he has no personal knowledge anyway, he could say that he has always considered the appointee to be of the best of character, reputation and associates and an extremely loyal American. He stated that in view of the suspicion in the minds of the public concerning the USDS leak of information he would never recommend the appointee for a position as a security officer.

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ADAMS said, however, that he is well aware, from newspaper publicity, of the position on the Subversive Control Board to which OTEPKA is being appointed and he said he would recommend the appointee highly for this position. [redacted] described the appointee as a highly competent, dependable, and personable individual. b6

[redacted] to the Director, Bureau of Personnel Investigations, CSC, related that she was acquainted with the appointee for three or four years ending in 1953 when the appointee worked in a security file section as an Assistant Section Chief at CSC. She informed that she did not work directly with the appointee, but saw him frequently and from her contact with him she would have no reason to question his character, reputation, and associates, or his loyalty to the United States. (4)

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JWS:kdb

1

UNITED STATES DEPARTMENT OF STATE (USDS)

The official personnel file for OTTO FRED OTEPKA at the USDS, reviewed on April 3, 1969 by SA JOSEPH W. SPEICHER, verified the following United States Government employment:

- July 26, 1942: Resignation from position as Assistant Clerk, Mail and Records Section, Office of the Chief Counsel, Bureau of Internal Revenue, United States Treasury Department, Washington, D.C. to accept a position with the Civil Service Commission.
- July 27, 1942: Appointed Junior Investigator, Field Service Section, Investigations Division, United States Civil Service Commission, New York, New York.
- October 26, 1943: Leave without pay to enter active military service.
- May 8, 1946: Return from military furlough as Investigator (Trainee), Regional Investigations Division, Second Regional Office, New York, New York, U.S. Civil Service Commission. Made Investigator, Investigations Section, Regional Investigations Division, Second Regional Office, New York, N.Y. On July 28, 1946. Made Civil Service Examiner, Social Sciences Section, Examining and Placement Division, Second Regional Office, New York, N.Y. on January 12, 1947.
- March 3, 1947: Transferred to Fourth Regional Branch Office, Washington, D.C. as Investigator, Investigations Division.
- December 14, 1947: Transferred as Technical Consultant, Security Section, Investigations Division, JS CSC, Washington, D.C.

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2

December 11, 1949: Reassigned as Investigator (General),
Reference Files Section, Investigations
Division, USCSC, Washington, D.C.

December 7, 1951: Made Assistant Chief, Reference Files Section.

June 14, 1953: Separation-Transfer to Department of State.

June 15, 1953: Entered on duty by transfer from USCSC as
Evaluator (Personnel), Employee Security
Section, Evaluations Branch, Office of
Security, Department of State, Washington, D.C.

April 25, 1954: Made Chief, Evaluations Branch, Office of
Security.

June 19, 1955: Made Chief, Evaluations Division, Office of
Security.

April 7, 1957: Made Deputy Director, Office of Security.

November 11, 1960: Detail, not to exceed 90 days to Office of
Security, Bureau of Security and Consular
Affairs, Department of State, Washington, D.C.

February 10, 1961: Termination of detail and return to duty as
Supervisory Security Specialist - General,
Office of the Director, Office of Security.

January 21, 1962: Reassignment-Reduction in Force, to position
of Supervisory Security Specialist-General,
Division of Physical Security, Office of
Security, Bureau of Security and Consular
Affairs.

April 1, 1962: Reassigned as Supervisory Personnel Security Specialist to the Division of Evaluations, Office of Security, Bureau of Security and Consular Affairs.

June 27, 1963: Detail, not to exceed 90 days as Personnel Security Specialist, Office of the Deputy Assistant Secretary for Security, Department of State, Washington, D.C. to prepare guidelines for evaluators and develop recommendations to update the Office of Security Handbook.

The above detail was extended on September 25, 1963, December 24, 1963, June 27, 1964, December 26, 1964, June 26, 1965, December 26, 1965, June 25, 1966, December 25, 1966, June 26, 1967, and September 30, 1967.

December 13, 1967: Change to lower grade (From GS-15 to GS-14, step 1) and assigned as Management Analyst, Directives Staff, Office of the Deputy Assistant Secretary for Organization and Management, Office of the Deputy Under Secretary for Administration, Department of State, Washington, D.C.

April 16, 1968: Leave without pay, for personal reasons, not to exceed May 16, 1968. This leave without pay was extended on May 17, 1968, June 15, 1968, September 13, 1968, December 12, 1968, and February 13, 1969, not to exceed April 11, 1969. File indicates that appointee is presently on leave without pay from his assigned position as Management Analyst, Directives Staff, Office of the Deputy Under Secretary for Administration, Department of State, Washington, D.C.

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Appointee's file at USDS does not contain any official personnel actions verifying his employment from 1936 to 1939 by the Farm Credit Administration /or from 1939 to 1942 by the Bureau of Internal Revenue, United States Treasury Department. The file contained a card record (Form 2838) which indicated that he has received a probational appointment on July 1, 1936 as Assistant Messenger at the Farm Credit Administration, Washington, D.C. Another card record (Form 2800) in file indicated that on February 28, 1939, he separated from the Farm Credit Administration and on March 1, 1939, he was appointed Assistant Clerk, Bureau of Internal Revenue, United States Treasury Department, Washington, D.C.

Appointee's personnel file reflected that he was recommended for an "Outstanding" efficiency rating during December, 1956 by his supervisors, JACK B. MINOR and E. TOMLIN BAILEY. This efficiency was eventually approved as "Satisfactory" since it did not meet the criteria for "Outstanding."

OTEPKA's file further reflected that he was nominated on February 13, 1958 by the Office of Security, Department of State as its candidate for the "Civil Servant of the Year" award for "Sustained outstanding accomplishment in the discharge of assigned duties and responsibilities..." On April 8, 1958, OTEPKA received the "Meritorious Service Award" from the Department of State for "meritorious service, loyalty, and devotion to duty as Chief, Evaluations Division, Office of Security..."

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Appointee's file indicated that on May 9, 1962, OTEPKA was recommended for an assignment to the National War College by JOHN F. REILLY, Deputy Assistant Secretary for Security, Department of State. The file contains no official verification that OTEPKA ever attended the National War College session which was scheduled to begin on August 16, 1962 and end on June 7, 1963.

OTEPKA's personnel file reflected further that he was notified on May 5, 1966 that he would not be granted a salary step increase which was due him because his work was "not of an acceptable level of competence." A document in file dated December 9, 1967 and signed by Secretary of State, DEAN RUSK, reflected that RUSK accepted the findings of a hearing officer that OTEPKA had delivered to a person outside the Department of State, without the authority of the Department, copies of memoranda dealing with security considerations in the appointment of members of the Advisory Committee on International Organizations Staffing and of an investigative report concerning a prospective employee of the Department of State, in violation of the Presidential Directive of March 13, 1948 (13 FR 1359). RUSK further accepted the finding of the hearing officer that there were no extenuating circumstances that would justify or excuse the delivery of the memoranda and the report to a person outside the Department of State. RUSK therefore directed that OTEPKA be severely reprimanded; be reduced in grade from GS-15 to GS-14 and that he be transferred to other duties within his qualifications, which did not involve the administration of personnel security functions.

OTEPKA's file listed his birthdate as May 6, 1915 at Chicago, Illinois.

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WFO 161-5685

RTT:mel

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United States Senators

The following investigation was conducted by
SA RICHARD T. TAYLOR, JR. on April 3, 1969.

Senator JOSEPH D. TYDINGS (Maryland), advised he has no personal knowledge of the appointee, ^{MRS.} OTTO FRED OTEPKA. He could recall no instance where in he has had either political or professional contact with him. He is aware of him as a result of frequent news items which have been published in the past in connection with the appointee's former employment by the Department of State. He is aware he is currently under consideration for appointment as a member of the Subversive Activities Control Board. He knows of no unfavorable information on his personal knowledge of the appointee which would cause him to question his character, associates, reputation and loyalty. He is unable to furnish additional comments concerning him.

1832 ARCADE AVE SILVER SPRING MD
Senator CHARLES McC. MATHIAS (Maryland), advised he has had no personal contact with the appointee but ^{SIMON} recalled having met the appointee's wife, EDITH OTEPKA, on two or three occasions at political functions in the state of Maryland. He has no personal knowledge of the appointee's former status as an employee of the Department of State. He knows of no information which would cause him to question the appointee's character, associates, reputation and loyalty. He recommends him to a position of trust and responsibility in the U. S. Government.

Senator EVERETT MC KINLEY DIRKSEN (Illinois), advised he first became acquainted with the appointee in the early 1960's when the appointee appeared as a witness before the Subcommittee on Internal Security of which

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RTT:mel

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the Senator had been a member. He described him as a responsive, direct witness who readily and completely answered all questioned ^{asked} ~~opposed~~ of him, by the Subcommittee. Senator DIRKSEN said he is unaware of any evidence which would cause him to consider the appointee as having been disloyal to the United States. He has had no social contact with the appointee and is unaware of the identity or activities of his family members.

Senator DIRKSEN is aware the appointee has been nominated as a member of the Subversive Activities Control Board. He recommends him to this position and to any position of trust and responsibility in the U. S. Government for which he may be found qualified. He has no information which would cause him to question the appointee's reputation, character, associates or loyalty to the United States.

WFO 161-5685

JER:pmh

1

NEIGHBORHOOD

The following investigation was conducted by SA [redacted] on April 2, 1969 at Silver Spring, Maryland.

[redacted] advised he [redacted] to the appointee for about [redacted] years. He stated he is well acquainted with the appointee, [redacted].

MD He stated JOANNE OTEPKA recently finished college and has resided at Mc Lean Gardens on Wisconsin Avenue, Washington, D. C. for the past two or three months.

[redacted] pointed out he holds the OTEPKA's in the highest esteem as [redacted]. He stated that absolutely nothing has ever come to his attention which would cause him to believe the appointee is not a very fine American of the highest character, reputation and associates. He recommends OTEPKA without reservation for a position of trust and confidence with the Federal Government.

[redacted] advised she has known the OTEPKAs as [redacted] for over [redacted] years. She remarked she considers Mrs. OTEPKA a close friend and she and her husband have visited the OTEPKAs socially on a few occasions. She described the OTEPKAs as a couple who stay at home quite a bit and are a serious type couple. A daughter of the appointee, JOANNE, finished college during the past year and now resides in Washington, D. C.

[redacted] stated Mr. and Mrs. OTEPKA have impressed her as very loyal Americans of the finest character, reputation and associates, the few she has met. She advised she has no reason whatever not to recommend OTEPKA for a position of trust and confidence with the United States Government.

[redacted] Federal Administration, who resides at [redacted]

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2

advised he has known the OTEPKAs as [redacted] and to a smaller extent socially, since about 1960. He stated the appointee has impressed him as a serious, conservative person and as far as he knows, an entirely loyal American of good character, and reputation. He remarked he is not acquainted with the appointee's associates other than some neighbors whom he considers reputable persons. He recommends the appointee for a position of trust and confidence with the Federal Government. b6

He remarked the appointee's wife, EDITH, an elementary school teacher is also a loyal, reputable American. //

[redacted]
advised she has known the OTEPKAs as [redacted] for about [redacted] years. She stated they enjoy a very high reputation in the [redacted] and as far as she knows there is absolutely no reason to believe they are other than loyal Americans of good character and associates. She described both as being civic minded and responsible home owners. b6

[redacted] stated she recommends the appointee, without hesitation, for a position of trust and confidence with the United States Government. b6

[redacted]
advised she has known the OTEPKAs as [redacted] for around [redacted] years. She advised she considers them to be fine, loyal Americans of excellent character, reputation and associates and recommends the appointee, without qualification, for a position of trust and confidence with the United States Government. She remarked the appointee's wife, EDITH, is an elementary school teacher, and his one child, as far as she knows, JOANNE, recently moved into an apartment in Washington, D. C. after completing her college education. b6

[redacted] advised she is not acquainted with the OTEPKAs. b6

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MISCELLANEOUS

The files of the House Committee on Internal Security were reviewed on April 2, 1969, by SE [REDACTED] b6
AND it was noted the indices contain various references to newspaper articles concerning appointee's difficulty at the State Department when he furnished documents to a Senate Committee. The files contained no additional pertinent information.

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JER:lck

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OTTO FRED OTEPKA, aka
Otakar Otepka

b6

The files of the Office Security (SY), Department of State, reviewed by SA [REDACTED] on April 4, 1969, disclose that OTTO FRED OTEPKA applied for a position as an evaluator with SY about June 1, 1953. SY conducted background investigation concerning him in June, 1953 with favorable results, also utilizing a previous Civil Service Commission investigation concerning him.

During this investigation, SY established from original birth records at the Bureau of Vital Statistics for Cook County at Chicago, Illinois that OTAKAR OTEPKA was born at Chicago on May 6, 1915, the son of FERDINAND OTEPKA and JOHANNA JAKSA OTEPKA, both born in Moravia. SY interviewed the appointee's father in June, 1953 at 3223 South Avers Avenue, Chicago, who advised that he himself had a brother, RUDOLPH OTEPKA, and two sisters. LUDMILLA and JOHANNA, then living in Bzenec, Czechoslovakia. He related that his brother RUDOLPH was married to a sister of his wife, MARY JAKSA OTEPKA. He also advised that his wife (JOHANNA JAKSA OTEPKA) had brothers-in-law and sisters, as follows: [REDACTED] *OTEPKA*

b6

OTEPKA
[REDACTED]
living at Kladur and Bzenec, Czechoslovakia. The appointee's father told SY that he and his wife corresponded with these relatives regularly but that the appointee did not.

SY determined from naturalization records at the U.S. District Court in Chicago that the appointee's father, FERDINAND OTEPKA, born at Bzenec, Czechoslovakia on January 28, 1885, arrived at New York City on the SS "Bremen" on April 23, 1912 and was naturalized before the superior Court of Cook County, Illinois on June 21, 1928.

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These records revealed that the appointee's mother, JOHANA OTEPKA, born at Bzenec on May 13, 1885, arrived at Baltimore, Maryland on the SS "Rhein" on November 22, 1913 and was naturalized before the U.S. District Court in Chicago on August 24, 1940. The father's Certificate of Naturalization was No. 2825127; the mother's, No. 4946055. Both naturalization records showed sons OTTO, born on May 6, 1915, and RUDOLPH, born on December 21, 1918, both at Chicago.

SY developed in its investigation that the appointee, in addition to the elementary schooling in the Chicago Public Schools, also attended a Czech language school, VOJTA NAPRSTEK, 2548 South Homan Avenue, Chicago. S4 was able to verify attendance at that school through contact with Mr. BOHUMIL MIKULA, 2401 59th Avenue, Cicero, Illinois, a teacher at Morton High School there. He advised that the appointee attended the Czech School Saturdays and occasionally Sundays, about 9 hours a week, from about 1923-28.

SY granted OTEPKA security clearance on June 17, 1953, valid for 90 days only, unless appointed in the meantime. The Bureau of Security and Consular Affairs, Department of State on December 2, 1953 granted him security clearance for the Special Projects Staff.

SY accorded him security clearance under EO 10450 on April 19, 1954, at the same time granting him clearance for promotion in the Department of State. On February 7, 1961 SY granted the appointee security clearance for the handling of Cosmic material.

The SY file does not show any termination of clearance concerning this individual; however, SY has advised that all its clearances terminate when the person's relationship with the Department of State terminates.

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The appointee's SY file was made available by Mr. JOHN T. NOONAN, Chief, Records and Services Branch, Office of Security, Department of State.

WFO 161-5685

KJH:ssk

1

Mr. JOHN W. DREW, JR., Chief, Personnel Services Division, Office of Personnel, Department of State, advised SA [REDACTED] on April 4, 1969, that he has custody of the State Department's administrative files relating to the handling of the matter of OTTO F. OTEPKA's furnishing of information from State Department files to the U.S. Senate and resultant disciplinary actions. He stated that these files relate only to that controversy and noted that these files do not at this time include the appointee's official personnel file. b6

4/4/69

AIRTEL

TO: SAC, CHICAGO

FROM: SAC, WFO (161-5685) (P)

OTTO FRED OTEPKA
SPI

This confirms WFO telephone call to your office concerning residences for following relatives:

Father: ~~FERDINAND OTEPKA~~
Mother: ~~JOHANNA OTEPKA, nee JAKSA~~
Both reside Morton Manor Health Home, West Chicago, Illinois
Brother: ~~RUDOLPH OTEPKA~~, resides near this nursing home at 604 Frazier Court, Wheaton, Illinois.

Other immediate relatives are wife, and one daughter who reside in the WDC area, and whose residences were verified by WFO.

REC-105

161-6231-8

RECORDED

APR 25 1969

1 - Chicago
1 - Bureau
1 - WFO

JER:mee
(3)

54 MAY 26 1969

VIA TELETYPE
APR 5 1969
ENCIPHERED

Mr. Tolson_____
Mr. DeLoach_____
Mr. Mohr_____
Mr. Bishop_____
Mr. Casper_____
Mr. Callahan_____
Mr. Conrad_____
Mr. Felt_____
Mr. Gale_____
Mr. Rosen_____
Mr. Sullivan_____
Mr. Tavel_____
Mr. Trotter_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

WA 18 507PM DJS

URGENT 4-5-69 DJS

TO DIRECTOR PLAINTEXT
FROM CHICAGO (161-NEW) (RUC) 1P

OTTO FRED OPTEPKA. SPI.

CURRENT RESIDENCE OF SUBJECT'S PARENTS FERDINAND OPTEPKA AND JOHANNA OPTEPKA VERIFIED THIS DATE AS MORTON MANNER HEALTH HOME, ROUTE SIXTY-FOUR, WEST CHICAGO, ILLINOIS.

RESIDENCE OF SUBJECT'S BROTHER RUDOLPH OPTEPKA, SIX ZERO FOUR FRAISER COURT, WHEATON, ILLINOIS, WAS VERIFIED THIS DATE AND NEGATIVE ARREST RECORD FOR RUDOLPH OPTEPKA AT DU PAGE COUNTY SHERIFF'S OFFICE, WHEATON, ILLINOIS, AND DU PAGE COUNTY POLICE DEPARTMENT.

END

RDR

FBI WASH DC

cc destroyed
4-23-69 DS

161-6231-9
NOT RECORDED
12 APR 25 1969

54 MAY 26 1969

F B I

Date: 4/8/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-5685)

OTTO FRED OTEPKA, aka
SPI

ReWFOrep dated 4/4/69.

SA PAUL F. DOUGHERTY caused a search to be made of the files of the Central Intelligence Agency, and was advised on 4/7/69 that the files contained no pertinent identifiable information concerning the appointee.

IC [] caused a search to be made of the files of the U.S. Secret Service, Department of the Treasury, and was advised on 4/7/69, that no record was located concerning the appointee.

IC [] caused a search to be made of the files of the Naval Investigative Service Headquarters and was advised on 4/7/69 that the files contained no additional pertinent information concerning the appointee.

Attached as pages of this airtel are comments of additional acquaintances.

Passport, (CSC) education Columbus University School of Law (now Catholic University) and comments of additional State Department employees follows.

1 - Bureau
1 - WFO

JER:jmh
(2)

161-623-10
NOT RECORDED

APR 25 1969

54 MAY 26 1969

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

WFO 161-5685

WSM:vk d

1

WILLIAM O. BOSWELL, Director, Office of International Conferences, Department of State, advised SA [redacted] on April 7, 1969, that he supervised OTTO FRED OTEPKA from approximately June, 1959, until around April, 1961. During this period BOSWELL was Director of the Office of Security, and OTEPKA was the Deputy Director. A reduction in force action was taken by the State Department and BOSWELL eliminated OTEPKA's position, namely that of Deputy Director. At this time OTEPKA was assigned to duties he held prior to being Deputy Director in the State Department, Personnel Evaluation Section. BOSWELL advised he had no question or reservation regarding OTEPKA's loyalty as an American citizen. As to his moral character, he knew of no intemperate habits on OTEPKA's part. He met his wife on two occasions when BOSWELL gave large parties at his home and they seemed to be a compatible couple from this limited exposure. He knew nothing of any children, parents, brothers or sisters of OTEPKA's and had no social contact beyond the above two instances. He stated he knew nothing of any organizations or memberships or associations which would reflect on the appointee. b6

As a Personnel Evaluator he stated OTEPKA was a good man and he functioned in this capacity satisfactorily during BOSWELL's supervision. He did not function, however, in the position of Deputy Director in the manner that BOSWELL expected and as BOSWELL saw it, he was not interested in this aspect of his job. As to his reputation and suitability for a position of trust in the Government, BOSWELL stated that based on his belief that OTEPKA disclosed classified information without authorization from the Department of State, he would not recommend him for a position of trust and responsibility involving classified information in the Government service. He said this feeling was based completely on the OTEPKA affair and that he did not wish to go into the subsequent events as they are of record both at the Internal Security Subcommittee of the Senate Committee on the Judiciary,

WFO 161-5685

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as well as in the Office of Security of the State Department. BOSWELL declined to elaborate further regarding OTEPKA.

WFO 161-5685

JAK:pmh

1

The following investigation was conducted on April 7, 1969 by SA [redacted] JR.:

b6

[redacted] Evaluations Division, Office of Security, Department of State, advised that he has known the appointee for more than ten years on a professional basis. [redacted] when appointee was in the Evaluations Division in the Office of Security. The appointee was a quiet individual and was "hard to get to know". In a technical sense the appointee was professionally competent. He knew his work and did it well. [redacted] knew nothing which would be considered derogatory with respect to the appointee's character or reputation but declined to recommend him for a position of trust and confidence based on the Otepka incident in 1963. //

[redacted] Evaluations Division, Office of Security, Department of State, advised that she knew the appointee on a professional basis only having first met him in approximately [redacted]. She considered him to be hard-working, diligent and professionally competent. She knew nothing of a derogatory nature concerning the appointee's character, associates, reputation or loyalty to the United States and recommended him for a position of trust and confidence with the government. ① ✓

[redacted] Of- fice of Security, Department of State, advised that he has known the appointee since April, 1954, and was hired by the appointee at that time. From approximately 1954 to 1958 they had some social contact having visited in each other's homes on occasion. [redacted] stated that prior to approximately 1961 or 1962 he considered the appointee to be a well-balanced, hard-working individual. He was a model man with all the virtues and was a good boss to work for. After that period of time the appointee's attitudes seemed to completely change and he appeared to become obsessed with the idea that the State Department was filled with communists or spies. During that period of time there was also somewhat of an internal struggle in the Security Office all of which culminated in the Otepka incident in

WFO 161-5685

JAK:pmh

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approximately June, 1963. [redacted] stated that he had no question at all concerning the appointee's loyalty to the United States, but declined to recommend appointee for a position of trust and confidence. He stated that it was his belief that the appointee had demonstrated in the past that he could not be trusted and his declination to recommend appointee was based on the Otepka incident.

b6

F B I

Date: 4/9/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-5685) (P)

OTTO FRED OTEPKA .aka
SPI

ReWFOairtel 4/8/69.

SA [redacted] caused the records to be searched at the Registrar's Office, Catholic University of America and was advised on 4/9/68, by [redacted] that appointee was enrolled in Columbus University School of Law, Washington, D.C., from 9/11/39-5/1942. He was graduated and received an LLB Degree on 6/11/42. No grade average for class standing was indicated. It was indicated that he had attended Harrison Technical High School, Chicago, Ill., from which he was graduated in 1933. There was no derogatory or additional pertinent information on the card record from which this information was obtained. [redacted] explained that Columbus University School of Law is a defunct institution, and the record cards are now in the custody of Catholic University.

On 4/9/69 the files were caused to be searched at the following organizations concerning bar membership and no record was found for appointee: Committee on Admissions and Grievances, US District Court of the District of Columbia (USDCDC); Lawyers Register, USDCDC; Supreme Court of the US; and the Federal Bar Association.

1-Bureau
1-WFOJER/AM:am
(2)AIRTEL161-6231-11
NOT RECORDEDAPR 25 1969
9-112

54 MAY 26 1969

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

WFO 161-5685

b6

On 4/8/69 [redacted] Office of Personnel and Administration, Farm Credit Administration (FCA), advised SA STANLEY T. BLASZEK that a service record card for appointee verified his employment here from 7/1/36-2/28/39. He was an assistant messenger and mail clerk in the Administrative Mail Section. His supervisor, Mr. ISELI, has not been employed there for years and whereabouts are unknown. She was unable to suggest anyone at the FCA who would know the appointee.

Attached as pages of this airtel are comments of additional associates.

Passport, CSC, and comments of other acquaintances follows.

WFO 161-5685

WSM:nsr

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KEITH O. LYNCH, Chief, Division of Protective Security, Office of Security, advised SA [redacted] on April 8, 1969, that he first met OTTO OTEPKA either at the early part of World War II or just after World War II when LYNCH became an investigator at the Civil Service Commission (CSC) in Washington, D.C. (WDC). OTEPKA was working in one of the offices at the CSC which dealt with classified information and files and LYNCH had numerous instances requiring access to these files. OTEPKA seemed to be well respected as a well informed person on subversive matters but LYNCH never worked for him at the CSC. LYNCH was subsequently on the Regional Security Board and again continued to have contact with OTTO OTEPKA. LYNCH came to the State Department in 1951 in what then was known as the Division of Physical Security. OTEPKA was Director or Chief of the Evaluations Unit in the Security Office of the State Department at that time. OTEPKA later became the Deputy Director and LYNCH remained in the Physical Security Unit which deals with protective aspects of the Secretary of State and foreign dignitaries. He traveled much of the time and although he had a degree of contact with OTEPKA, he did not have any close association with him until about 1965 or 1966. Since this time he has only seen OTEPKA on two accidental meetings around WDC. He has no personal knowledge of anything popularly known as the OTEPKA affair and on the basis of his acquaintance considers him a thoroughly and completely loyal American citizen. He has no question of his moral character and although he met his wife and believes he has one daughter he has no contact or knowledge of the family in twenty years. He has no question of his associates or associations and knows nothing to assail his reputation beyond the publicized information in the OTEPKA affair. In this regard he thinks OTEPKA's intentions were sincere as a concerned American citizen with matters he felt involved subversive activities or persons but he did not agree with his procedure in airing this information. Other than this

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information which was learned only by public disclosure, he knows nothing which would preclude OTEPKA on the basis of suitability for a position of trust and responsibility in the Government service.

Mr. JOHN THOMAS NOONAN, Chief, Records and Services Branch, Office of Security, advised SA [] on April 8, 1969, that in November, 1953, NOONAN was detailed from his assignment in New York City to Headquarters of the Security Office, State Department, WDC. He was assigned to the Evaluation Section and met OTTO OTEPKA who was then Chief of this unit. OTEPKA was his indirect supervisor as head of the unit and NOONAN was permanently transferred to OTEPKA's section in August of 1954. In addition to the business association from about 1954 until 1958 or 1959, they were close personal associates and were members of a social card players who met and played together in their respective homes every four to six weeks. He knew the wife and they seemed to be a compatible couple but he has had no social contact with him or his family since about 1959. They worked closely together until approximately June, 1960 when NOONAN was assigned to another section and their contact became less frequent until 1962 and since then he has had no contact with him.

NOONAN was a senior evaluator under OTEPKA and he had a great respect for OTEPKA's knowledge and ability in this phase of security work. Through a series of directors of the Office of Security he observed that OTEPKA was very disappointed in his not being promoted and eventually being sidetracked and returned to his former position as Chief of the Evaluation Section. NOONAN felt, however, that OTEPKA was in complete discord with his successive bosses and became a dispiriting factor in the security section and that this led into the dissemination of documents which became popularly

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known as the OTEPKA affair. NOONAN stated he has no personal knowledge of OTEPKA's involvement and activities in this regard but based on the resulting publicity information and hearing he would not recommend OTEPKA for a position of trust and responsibility in the Government service. His publicized actions conveyed an opportunist attitude on OTEPKA's part and the interruption that everyone was against OTEPKA and for this reason he was not given the Director of Security position. The only point he felt he must qualify was that he would question OTEPKA's thinking and the extent to which he would go in his belief that he was protecting the security of his Government and that this again was based purely on the publicized information of OTEPKA's involvement. Personally he concluded that he had no knowledge of anything which would question his moral character, his reputation or associates and he feels he is a completely loyal citizen of this Government.

CARL L. BOCK, Chief, Applicant Branch, Division of Evaluation, Office of Security, advised SA [] on April 8, 1969, that he has known OTTO OTEPKA as a business acquaintance only and by general office discussion knows that he is married and has one daughter. Beyond this he knows nothing of his personal life or family members. He thought that his parents' home was Chicago, Illinois, and that he had a brother but his name, address or place of employment was unknown. He first met OTEPKA in June, 1953 when he entered on duty with the State Department from his prior position with the CSC. He did not recall the exact title upon transfer but he was generally identified at that time as a "security expert". After a few months, approximately August, 1953, OTEPKA became Acting Chief and then Chief of the Evaluation Division. It was then known as the Review and Dissemination Staff. He considered his business performance at the time to be entirely satisfactory and that OTEPKA was

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a very capable, hard-working security officer who invested many long overtime hours in his position. OTEPKA served as Chief of the Evaluations Unit until about April, 1957 and was the overall supervisor of BOCK during this period. In April, 1957, OTEPKA became Deputy Director of the Office of Security and BOCK had less contact with him after his promotion.

Around 1961, a large reduction in force was effected in the entire State Department and OTEPKA's Deputy Director position was abolished and OTEPKA returned to the position of Chief of the Evaluations Unit. He served in this capacity until June 22, 1963 when he was suspended from his position because of what is now popularly known as the OTEPKA incident or affair. BOCK had no personal knowledge of anything concerning OTEPKA's involvement in this affair and lacking any knowledge was never called upon to testify in any degree regarding OTEPKA's activities. He personally never had any reason to question his moral character or his friends or associates. He never had any reason to doubt OTEPKA's being a loyal and responsible American citizen. He concluded, however, that he would not recommend OTEPKA for a position of trust and responsibility in the Government service and that his feelings were based entirely upon publicized information of his involvement and that he feels this publicity indicated he cannot be supervised by anyone and cannot have anyone object to his feelings or beliefs in areas of security. Beyond this BOCK stated he had nothing further to add.

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The following investigation was conducted on
April 8, 1969 by SA [REDACTED] b6

Mr. HARRY HITE, Supply Management Representative, Division of Supply and Transportation, Department of State, 1800 G Street, N.W., Washington, D. C., advised that he has known the appointee since approximately 1950 when they were both employed by the Civil Service Commission. They were also employed together in the Security Office at the Department of State for a number of years. Mr. HITE stated that appointee is a man for whom he has the greatest respect as a security officer and as an individual. He has performed his job admirably and has been an extremely good public servant. His character, moral habits, reputation and choice of associates are unquestionable. His loyalty to the U. S. is above reproach. Mr. HITE highly recommended the appointee for a position of trust and confidence with the Government. ①

Mr. ALFRED HARRISON, Chief, Education and Training Staff, Office of Security, Department of State, advised that he has known the appointee since approximately 1954 on a professional basis only. During their acquaintanceship he has always found the appointee easy to get along with and a very likeable individual and their relationship has been pleasant in all respects. He had no question what ever concerning the appointee's character, moral habits or conduct and considers him a man of the highest principles. He stated that he personally was not involved in the Otepka incident in approximately 1963, but from his understanding of the incident he questions the appointee's judgement in going out side proper channels to accomplish a particular purpose. He has found the appointee to be a man dedicated to his job and a person who has the courage of his convictions. He stated that it appears to him that the appointee felt a higher loyalty to his

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country than to his immediate superiors. He reiterated that he had no reason to question the appointee's character, associates, reputation and loyalty and on this basis he recommended appointee for a position of trust and confidence with the Government. (2)

[redacted]
Officer employment Branch, Employment Division, Office of Personnel, Department of State, advised that he has known the appointee for more than fifteen years having worked with appointee both in the Civil Service Commission and at the State Department. Their acquaintanceship has been on both a professional and limited social basis. He has always found the appointee to be a clean living individual who has always conducted himself well. He is a loyal and patriotic American and [redacted] had no adverse comments concerning appointee's character, reputation or choice of associates. He highly recommended appointee for a position of trust and confidence with the Government. (3) b6

[redacted]
[redacted] Bureau of International Organization Affairs, Department of State, advised that he has known the appointee for more than ten years. He worked closely with the appointee at the State Department from approximately 1959 until 1962 and has known him well on a social basis often. He always found the appointee to be a delightful individual who is emotionally stable, well balanced and possessed good judgment. He stated that based on the Otepka incident in approximately 1963 he may disagree with and question the appointee's methods in achieving a particular purpose but considers him to be a person of excellent character and moral habits. To his knowledge the appointee associates only with reputable individuals and he has every reason to believe that the b6

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is a loyal and patriotic U. S. Citizen. He recommends appointee for a position of trust and confidence with the Government. (4)

[redacted] Division of Domestic Operations, Office of Security, Department of State, advised that he has known the appointee primarily on a professional basis since approximately 1954. He stated, however, that they have had no direct association for about the past five years. [redacted] stated that with respect to the appointee's loyalty to the U. S., is suitable for Government employment and his personal life, he had no objections whatever concerning appointee. The appointee is technically competent, but he questions his ability as an administrator. He always found appointee to be aggressive, straight forward and dedicated to his work. He reiterated he had no question whatever concerning appointee's loyalty to the U. S. but had many reservations concerning his loyalty to his superiors and these reservations are based on the Otepka incident in 1963. He stated that for these reasons he would not hire the appointee and could not recommend him for a position with the Government. b6

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State Department

On April 8, 1969, [redacted] to the Deputy Assistant Secretary for Security advised SA [redacted], that she has known OTTO OTEPKA for approximately 15 years. She was closely associated with him when he was Deputy Director of Security in the early 1960's. She prefers not to discuss the OTEPKA affair. She knows of no reason to question his loyalty to the United States. She knows of nothing derogatory concerning his character, or reputation except for the OTEPKA affair. He is a good writer and handles paper work exceptionally well. He is a mature and responsible citizen. She recommends him. (b6)

[redacted] Special Agent, Special Assignment Staff, advised he has known the appointee since 1956. He has no information concerning the appointee's family or associates. He stated, "I know of nothing of a derogatory nature concerning OTTO's loyalty or reputation or anything." He recommends him. (b6)

[redacted] for Office of Security advised he has known the appointee since 1954. His dealings were primarily of a business nature and on many occasions involved financial transactions of the Office of Security. He always found the appointee to be straight forward and "above board." He always "laid all his cards on the table." He knows of no reason to question his loyalty, honesty, integrity or moral character. His reputation is good. He recommends him. (b6)

[redacted] Division of Investigations, advised that he did not work closely with the appointee and because of the OTEPKA affair did not want to work for or with him but he stated, "My testimony would be favorable regarding his loyalty, moral character, honesty and integrity." He advised he has no reason not to recommend him. (b6)

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State Department

On April 7, 1969, [redacted] Bureau of Inves-
tigations, advised SA [redacted] that he has known
OTTO OTEPKA for 15 years both professionally and personally,
He has no question of his loyalty to the United States or of
his honesty, integrity, or moral character. He has never known
him to drink to excess. He has no undesirable associates. He can
verify the appointee's residence at 1832 Arcola ^{Avenue} Silver Springs,
Maryland. He does not know anything about the appointee's rela-
tives except that he has a brother in the Chicago area. The appoin-
tee is mentally and emotionally stable and is a mature individual.
He advised that the appointee's reputation at the State Department
is not good because of the OPTEKA Affairs. He considers the appoin-
tee to be a good man, but he does not approve of his behavior in
the OPTEKA Affairs. He recommends him for a position of trust and
responsibility involving the National Security of the United States.

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F B I

Date: 4/9/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-5685) (P)

OTTO FRED OTEPKA, aka
SPI

Re WFO airtel 4/8 and 4/9/69.

SE [] caused a search to be made of the files of the Bureau of Personnel Investigations, CSC, and it was determined on 4/8/69, that appointee was the subject of a CSC Full Field Investigation conducted in 1942 for the position of Junior Investigator, CSC. The CSC investigation at the Bureau of Internal Revenue, where appointee was employed, disclosed the following information:

[]
Section, Chief Counsel's Office, Bureau of Internal Revenue, Washington, D.C. Interviewed on June 29, 1942."

Interview favorable except as follows:..."Well, as far as tact, I don't believe he is good. Once in a while he flies off the handle. He would have to be trained before he could do anything. He would like to have things changed to suit his own way.".... "As far as adaptability it takes a little while for him to be adapted to changes. He does learn rather quickly. His judgment and discretion are fairly good. He cooperates but wants to do things his own way. He will argue a point a little bit too long. He doesn't want to do things contrary to his own ideas. However, I think he would do what is expected of him."

① - Bureau
1 - WFO
JER:vfl

161-6231-12
NOT RECORDED

12 APR 25 1969

54 MAY 26 1969
Approved: _____ Sent _____ M Per _____
Special Agent in Charge

WFO 161-5685

[REDACTED] b6
Chief Counsel's Office, Bureau of Internal Revenue, Washington,
D.C., interviewed at [REDACTED]
N.W., on July 1, 1942."

"I have known Mr. OTEPKA over a year and work in the same room with him there at the Bureau. I see him every day. His work is incomprehensible to me. I can't understand him not doing more. I feel that he doesn't do his part. He doesn't do work that he doesn't like.

His character is all right. I don't know of him drinking at all. I never heard of it. He paid his debts as far as I know. I think he is loyal. However, about that question of loyalty, if he were really loyal, he would want to go into the Army instead of getting another job."....."I expect his tact is all right. He doesn't stand criticism. He is not tolerant and doesn't see the other person's side. I don't think his job is where you can tell about initiative and resourcefulness. There is no opportunity to show it. As far as judgment and discretion, I would say the same. His cooperation is generally good. He has a slight superiority complex and was in the C.C.C. He knows law."...."As far as industry, he works according to the work but he doesn't like to re-jacket his work and he doesn't do anything that he doesn't like to do. If it were something he liked, he would work hard."

"SUMMARY, CONCLUSIONS AND RECOMMENDATION"

"Although one or two of the close associates of the applicant gave somewhat derogatory information relative to his work and what he likes to do in connection with his work, investigator is of the opinion that the affirmative qualifications outweigh the derogatory information. Even those witnesses who had something to say against his work seemed to feel that most of their testimony was favorably."

"ELIGIBILITY IS RECOMMENDED."

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The following concerns the administrative action taken against appointee by the State Department and his appeal to the CSC:

CSC files contains "Appeal Under Section 531.407 (e), Federal Personnel Manual" dated 8/16/67, from OTTO F. OTEPKA to the Board of Appeals and Review, U.S. CSC, 1900 E St., N.W., WDC. Appeal states, in part, the following "Pursuant to the cited provision, I hereby appeal from the decision of [redacted] b6
[redacted] Deputy Under Secretary for Administration, Department of State, contained in his memorandum of August 1, 1967, denying me a within-grade salary step increase."

CSC files contained a DECISION in the matter of OTTO F. OTEPKA dated 10/20/67 in which the U.S. CSC, Board of Appeals and Review rendered the following decision:

"Accordingly, finding no reasonable justification for an acceptance of Mr. OTEPKA's late-filed appeal in waiver of the regulatory time limit, the Board of Appeals and Review hereby declines adjudication of Mr. OTEPKA's appeal from the Departmental action taken to withhold his periodic within-grade salary increase, and no further appellate review will be given to the matter."

For the Commissioners: [redacted] Chairman,
Board of Appeals and Review. b6

By letter dated 10/27/67, [redacted] Attorney-at-Law, Robb, Porter, Kistler, and Parkinson, Tower Building, WDC, requested that the Civil Service Commissioners reconsider the decision of the Board of Appeals and Review issued on 10/20/67, in the case of OTTO F. OTEPKA.

By letter dated 11/24/67, the above attorney was advised that Civil Service Commissioners have fully considered the representations submitted by above in behalf of OTEPKA.

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As a result of their review, the Commissioners find that the current representations demonstrate sufficient basis for accepting, as timely filed, Mr. OTEPKA's initial appeal entered with the Board of Appeals and Review on 8/16/67. Accordingly, OTEPKA's appeal is reopened and the file in OTEPKA's case is being remanded to the Board of Appeals and Review, for readjudication by that office consonant with Section 531.407 of the Civil Service Regulations.

CSC files contain a DECISION by the U.S. CSC, Board of Appeals and Review, in the matter of OTTO F. OTEPKA, dated 1/10/68. TYPE CASE: "Acceptable Level of Competence."

STATEMENT OF THE CASE

"This appeal concerns the withholding of Mr. OTEPKA periodic within-grade salary increase based upon a determination that his performance had failed to meet an acceptable level of competence for an applicable one-year waiting period completed as of June 4, 1967.

Section 531.407 (e) (2) of the Civil Service Regulations, governing appeals from negative determinations regarding acceptable level of competence, provides that the Board of Appeals and Review shall make its decision on the record established in the reconsideration proceedings before the agency. Accordingly, the Department of State submitted the reconsideration file which has developed in Mr. OTEPKA's case, and the Board of Appeals and Review has fully considered the contents of that record in reaching its decision upon Mr. OTEPKA's appeal.

A review of the reconsideration file discloses that by memorandum issued under date of June 12, 1967, Mr. OTEPKA's designated supervisor, [REDACTED] advised Mr. OTEPKA of the determination that he was not considered to have performed at an acceptable level of competence, and that the periodic within-grade salary increase for which Mr. OTEPKA became eligible on June 4, 1967, therefore was being withheld.

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Upon receipt of Mr. OTEPKA's request for reconsideration of the negative determination, Mr. IDAR RIMESTAD, Deputy Under Secretary of State for Administration, conducted an inquiry in the matters concerned, which included a personal presentation of Mr. OTEPKA's reconsideration request in a conference held with Mr. RIMESTAD on July 18, 1967. Thereafter, the reconsideration decision was conveyed to Mr. OTEPKA by memorandum dated August 1, 1967, informing Mr. OTEPKA of Mr. RIMESTAD's decision to affirm the withholding of the within-grade salary increase, and leading to Mr. OTEPKA's subsequent appeal to the Board of Appeals and Review."

ANALYSIS AND FINDINGS

Mr. OTEPKA's appeal has included contentions that in the course of the Departmental reconsideration proceedings, he was denied opportunity to review pertinent documents and submit exceptions for the record.

In this respect, Section 531.407 (d) (4) of the Civil Service Regulations provides as follows (underscoring added):"

.....Above regulations deleted from write-up.....

"Relative to the above regulatory provisions, the Department's reconsideration file in Mr. OTEPKA's case includes a particular memorandum which [redacted] addressed to [redacted] on July 17, 1967, submitting additional comments upon the reasons for denial of Mr. OTEPKA's within-grade salary increase; however, as contended by Mr. OTEPKA, ~~the record~~ ^{the record} indicates that Mr. FRENCH's supplemental report of July 17, 1967, had not been made available to Mr. OTEPKA in the course of the Department's reconsideration proceedings. Further, although the record reflects that Mr. OTEPKA was afforded a personal presentation of his reconsideration request before [redacted] on July 18, 1967, accompanied by his attorney [redacted] the reconsideration file otherwise reflects that no written summary or transcript of the personal appearance was prepared and made available to Mr. OTEPKA for opportunity of filing written exception, consonant with the requirements of CSR 531.407 (d) (4).

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In this respect, [redacted] reconsideration decision of August 1, 1967, noted that his review had included consideration of Mr. OTEPKA's written reconsideration request, dated June 22, 1967; however, [redacted] decision only made passing reference to the fact of his meeting with Mr. OTEPKA on July 18, 1967, otherwise giving no indication as to the extent of consideration, if any, which had been afforded to Mr. OTEPKA's oral representations on July 18, 1967.

DECISION

In view of the above, the Board of Appeals and Review finds that the Department reconsideration proceedings in Mr. OTEPKA's case were not conducted in accordance with procedural requirements established under Part 531.407 of the Civil Service Regulations; and, therefore, that the reconsideration decision issued to Mr. OTEPKA under date of August 1, 1967, must be set aside. Under the circumstances, the Board is remanding the file to the agency for conduct of complete new reconsideration proceedings, with respect to the negative determination issued on June 12, 1967, in full compliance with the requirements of CSR Section 531.407 (d), and issuance of a new valid reconsideration decision by the Department relative to the withholding of Mr. OTEPKA's within-grade salary increase for the period completed as of June 4, 1967."

For the Commissioners: WILLIAM P. BERZAK, Chairman,
Board of Appeals and Review.

By letter dated 12/20/67 from OTEPKA to Appeals Examining Office, CSC, WDC, OTEPKA appeals the action of Secretary of State DEAN RUSK, effective 12/13/67, which directs the following:

- (a) That he be severely reprimanded.
- (b) That he be reduced in grade from GS-15 to GS-14, step one.
- (c) That he be transferred to duties in the Department of State which are within his qualifications but which do not involve the administration of personnel security functions.

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In this letter he gives his reasons for contesting the adverse action and submits documents to support his appeal.

Letters dated 5/20/68 to Deputy Assistant Secretary for Personnel, Dept. of State, and Mr. ROGER ROBB, Attorney at Law, Tower Bldg., 14th and E Streets, N.W., WDC, copy to OTTO F. OTEPKA, from Chief, Appeals Examining Office, states that their decision is that the agency action is sustained.

May 20, 1968 DECISION OF APPEALS EXAMINING OFFICE,
JAMES T. MASTERSON, CHIEF

"It is recommended that no change be made in the personnel action of the Department of State in effecting the demotion and reassignment of Mr. OTTO F. OTEPKA on December 13, 1967.

This recommendation becomes a final decision of the Civil Service Commission unless either the appellant or the employing agency files an appeal with the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415, within fifteen (15) calendar days of receipt of this decision.

Section 772.307 of the Civil Service Regulations provides that such an appeal must be in writing setting forth the basis for the appeal.

Since there is no further right to a hearing, additional representations (if any) should be made in writing and submitted in duplicate with the appeal to the Board."

By letter dated 5/31/68, OTEPKA made his appeal to the Board of Appeals and Review, U.S. CSC, WDC. On 9/25/68, the decision of the Board of Appeals and Review affirmed the decision of the Appeals Examining Office.

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**DECISION OF U.S. CIVIL SERVICE COMMISSION BOARD OF
APPEALS AND REVIEW DATED 9/25/68:**

"Accordingly, the decision of the Commission's Appeals Examining Office upholding the appellant's demotion on December 13, 1967 from the position of Supervisory Personnel Security Specialist, GS-15, Office of Security, to the position of Management Analyst, GS-14, Office of the Deputy Assistant Secretary for Organization and Management Directives Staff, is hereby affirmed.

Section 772.307 (c) for the Civil Service Regulations provides that the decision of the Board is final and there is no further right of appeal to the Commission."

For the Commissioners: WILLIAM P. BERZAK, Chairman.

Attached as pages of this airtel are comments of other acquaintances.
State Passport check not yet available.

WFO 161-5685

JWS:vfl

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On April 9, 1969, Miss FRANCES G. KNIGHT, Director, Passport Office, Bureau of Security and Consular Affairs, Department of State, advised SA JOSEPH W. SPEICHER that she has known OTTO OTEPKA in a professional capacity since around 1953. She explained that they served together in the Bureau of Security and Consular Affairs from 1953 to 1955 and she continued to have rather frequent professional contacts with him from 1953 till 1963. She added that she has seen him occasionally since that time. Miss KNIGHT stated that she has a very high regard for Mr. OTEPKA both personally and professionally. She considers him to be a loyal and dedicated U.S. citizen and added that "I have no reason to believe that he has ever misinformed me about anything." Miss KNIGHT reported that she is thoroughly familiar with the details of the "OTEPKA case," as it has been publicized in the papers and Congressional hearings over the past several years. She mentioned that she has no information regarding the OTEPKA matter which is different from, or which adds any facts to this matter. She stated that she is convinced that OTEPKA was unjustly treated by the Department of State and she feels that "he was right and the Department was wrong." She remarked that she felt it was significant that the Department of State dropped the original charges against OTEPKA and proceeded on only two or three. She commented that OTEPKA's character, habits, and morals are good so far as she knows and she recommended him "without any question" for a Government position of trust. She mentioned that she feels that OTEPKA is well suited for an appointment to the Subversive Activities Control Board and will do an excellent job in that assignment. Miss KNIGHT could furnish no information regarding OTEPKA's relatives or associations.

On April 9, 1969, Mr. ROBERT D. JOHNSON, Deputy Director and Chief Counsel, Passport Office, Bureau of Security and Consular Affairs, Department of State, advised SA SPEICHER that he has known OTTO OTEPKA professionally since 1953. He indicated that they served together in the Old Division of Security From 1953 to 1955 and they have continued to have

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professional contacts ever since. JOHNSON stated that he has no reservations whatever regarding OTEPKA's loyalty to his country. He added that OTEPKA's character, habits, and morals are above reproach, to the best of his knowledge and he recommended him for a position of trust and confidence with the Government. He could furnish no information regarding OTEPKA's relatives or associations. JOHNSON remarked that his understanding of the OTEPKA case is based on the record as set forth in Congressional hearings, newspaper articles, and conversations with OTEPKA. He has no information which is not already on the record in this matter. Based on his understanding of the details, JOHNSON backs OTEPKA rather than the Department of State and feels that OTEPKA was unjustly treated. JOHNSON reported that he feels that OTEPKA's background and capabilities are such that he can make a real contribution at the Subversive Activities Control Board.

- 1 -

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale *[Signature]*

FROM : W. V. Cleveland *[Signature]*

SUBJECT: *0*
OTTO FRED OTEPKA
SPECIAL INQUIRY - WHITE HOUSE

DATE: 4/10/69

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

P Re my memorandum 3/28/69 advising that White House requested investigation of Otepka 3/28/69. In this memorandum it was recommended and approved that efforts would not be made to collect and document all of the voluminous information regarding various hearings held in connection with Otepka's dealings with the Senate Internal Security Subcommittee.

"The New York Times" dated 4/4/69 contained an article captioned "Fund with Birch Society Ties Helped Otepka in State Department Job Fight by Paying Legal Debts." The article indicates that the American Defense Fund, a fund with John Birch Society associations, has paid about 80% of the legal costs incurred by Otepka in his four-year fight to win reinstatement as the State Department Chief Security Evaluator. The article also alleges that Otepka himself has been active with associates of the John Birch Society. *ad*

ACTION:

The Bureau has never investigated the John Birch Society. If approved, this article will be forwarded to the White House at which time the White House will be advised that inquiries were not made with regard to allegations in this article nor were they made in connection with any other aspect of the controversy which has been going on since 1963 between Otepka, the State Department, and the Senate Internal Security Subcommittee.

Enc.

1 - Mr. DeLoach
~~1 - Mrs. Brown~~
1 - Mr. Sullivan
1 - Mr. Bishop

161-6231-13
✓ 1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Egah *NOT RECORDED*
APR 25 1969

WVC:dbh
(8) *[Signature]*

OK
[Signature]
[Signature]
9 APR 25 1969
54 MAY 26 1969

April 11, 1969

BY LIAISON

Honorable John D. Ehrlichman
Legal Counsel to the President
The White House
Washington, D. C.

1 - Mrs. Brown
1 - Mr. Sullivan
1 - Mr. Bishop
1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Egan

Dear Mr. Ehrlichman:

In accordance with your request received on March 28, 1969, an investigation has been conducted concerning Mr. Otto Fred Otepka. Transmitted herewith is a summary memorandum containing the results of this investigation.

An investigation was conducted concerning Mr. Otepka in 1963 at the request of the Department of Justice concerning the allegation that he had furnished the Senate Internal Security Subcommittee classified and unclassified documents originating at the Department of State. The Department of Justice declined prosecution in a letter dated March 18, 1964. The results of that investigation have been furnished to you and have not been duplicated during the current inquiry. (65-68266-23,54)

The Internal Revenue Service has advised that income tax returns were timely filed by Mr. Otepka for the years 1965, 1966, and 1967, and there is no record of unpaid taxes, liens, or intelligence investigations concerning these returns.

Additional inquiries* are being made concerning Mr. Otepka. When the results of additional investigation are received, you will be advised.

Investigation of Mr. Otepka covered inquiries as to his character, loyalty, ability, and general standing, but no inquiries were made as to the sources of his income. Inquiries were not made in an attempt to collect and document all of the activities regarding Mr. Otepka's dealings with the Senate Internal Security Subcommittee.

Sincerely yours,

*Interview of additional acquaintances at State Department, CSC, and passport check.

See Note page 2

Return to Mr. Egan, Room 7638.

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54 MAR 26 1969

ENCLOSURE

RHE:lsk

TELETYPE UNIT

RECORDED

12 APR 25 1969

Honorable John D. Ehrlichman

NOTE: Otto Otepka, aged 53, employed by CSC from 1942 to 1953 and with Department of State in various capacities since 1953. On leave without pay from State Department since 4-16-68. Nominated as member of Subversive Activities Control Board 3-20-69. Investigation favorable as to character, reputation, associates, and loyalty. Several State Department employees would not recommend Otepka for position of trust and responsibility. Memo Cleveland to Gale dated 3-28-69, concerning Otepka attached.

April 11, 1969

OTTO FRED OTEPKA

SUMMARY

I. BIOGRAPHICAL DATA

Birth

Mr. Otepka was born May 6, 1915, in Chicago, Illinois.

Education

Records of the Columbus University School of Law, Washington, D. C., which are now maintained by Catholic University of America, Washington, D. C., reveal that Mr. Otepka was in attendance from September, 1939, to June, 1942, when he received an LL.B. degree.

Employment

July, 1934, to
October, 1935

Civilian Conservation Corps,
performing duties in connection
with reforestation

July, 1936, to
February, 1939

Farm Credit Administration,
Washington, D. C., in a clerical
capacity

March, 1939, to
July, 1942

Bureau of Internal Revenue, Depart-
ment of the Treasury, Washington,
D. C., in a clerical capacity

July, 1942, to
October, 1943

Civil Service Commission (CSC),
New York, New York, as a junior
investigator

May, 1946, to
March, 1947

CSC, New York, New York, as an
investigator

March, 1947, to
June, 1953

CSC, Washington, D. C., as an inves-
tigator and technical consultant

June, 1953, to
the present

Department of State, Washington, D. C.

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MAIL ROOM ☐ TELETYPE UNIT ☐

Return to Mr. [signature], Room 7638.

ENCLOSURE

166-6231-11

Otto Fred Otepka

March 20, 1969

Nominated as a member of the Subversive Activities Control Board (SACB)

There follows a chronology of positions held by Mr. Otepka in the Department of State:

June 15, 1953

By transfer from the CSC entered on duty as an evaluator, Evaluations Branch, Office of Security, Department of State, Washington, D. C.

April 25, 1954

Chief, Evaluations Branch, Office of Security, Department of State, Washington, D. C.

April 7, 1957

Deputy Director, Office of Security, Department of State, Washington, D. C.

February 10, 1961

Supervisory Security Specialist, Office of the Director, Office of Security, Department of State, Washington, D. C.

June 27, 1963, to
December 13, 1967

Personnel Security Specialist, Office of Deputy Assistant Secretary for Security, Department of State, Washington, D. C., to prepare guidelines for evaluators and develop recommendations to update the Office of Security handbook

December 13, 1967

Reduced from GS-15 to GS-14 and assigned as Management Analyst, Office of the Deputy Under Secretary for Administration, Department of State, Washington, D. C.

April 16, 1968, to
the present

Leave without pay for personal reasons from assigned position as Management Analyst, Directives Staff, Office of the Deputy Under Secretary for Administration, Department of State, Washington, D. C.

Mr. Otepka's personnel file at the Department of State reveals that on April 8, 1958, he received the "Meritorious Service Award" from the Department of State for "meritorious service, loyalty, and devotion to duty as Chief, Evaluations Division, Office of Security..."

Otto Fred Otepka

Mr. Otepka's personnel file reveals that he was notified on May 5, 1966, that he would not be granted a salary step increase which was due him because his work was "not of an acceptable level of competence." A document in file dated December 9, 1967, and signed by the then Secretary of State Dean Rusk, indicated that Secretary Rusk had accepted the findings of a hearing officer that Mr. Otepka had delivered to a person outside the Department of State, without the authority of the Department of State, copies of memoranda dealing with security considerations in the appointment of members of the Advisory Committee on International Organizations Staff and an investigative report concerning a prospective employee of the Department of State, in violation of the Presidential Directive of March 13, 1948. Secretary Rusk also accepted the findings of the hearing officer that there were no extenuating circumstances that would justify or excuse the delivery of the memoranda and the report to a person outside the Department of State. Secretary Rusk directed that Mr. Otepka be severely reprimanded, be reduced in grade from GS-15 to GS-14, and transferred to other duties within his qualifications which did not involve the administration of personnel security functions.

Marital Status

Mr. Otepka resides with his wife, the former Edith Simon, at 1832 Arcola Avenue, Silver Spring, Maryland.

Military Service

Mr. Otepka enlisted in the United States Naval Reserve on September 25, 1943, and entered on active duty on October 2, 1943. He was on active duty until March 5, 1946, when he was honorably discharged as a specialist first class by reason of expiration of enlistment. His record is clear.

II. RESULTS OF INVESTIGATION

Interviews

[redacted] Washington Division of Investigations, CSC, Washington, D. C., advised that he has known Mr. Otepka since approximately 1946 and was closely associated with him at CSC until 1953. This association continued on a social basis until about 1960. He related that he is also acquainted with Mr. Otepka's wife, daughter, father, and brother, and has the highest respect for them. He described Mr. Otepka as a com-

Otto Fred Otepka

petent, hardworking employee who was dedicated to the loyalty program of the Federal Government at the time he worked for the CSC. He commented favorably concerning Mr. Otepka's character, loyalty, reputation, and associates. He highly recommended Mr. Otepka as fully qualified for a position with the SACB.

[redacted] Division of Program Planning and Management, CSC, Washington, D. C., related that he has known Mr. Otepka since approximately 1950. He said that Mr. Otepka was completely dedicated to the Government's loyalty program while employed at CSC. He said he never has had the slightest reason to question Mr. Otepka's character, reputation, associates, or loyalty, and described him as a capable and trustworthy Government employee. He related that he is aware of the problems that Mr. Otepka had at the Department of State from what he read in the newspapers but from his own personal knowledge of Mr. Otepka, he recommends him for a position of trust and responsibility with the United States Government. b6 b6

[redacted] United States Arms Control and Disarmament Agency, Washington, D. C., advised that he was associated with Mr. Otepka as a fellow employee at CSC from about 1948 to 1953, and at the Department of State from 1952 to 1962. He said he has also associated with Mr. Otepka on a social basis. He considers Mr. Otepka to be one of the most knowledgeable employees in the Federal Government regarding loyalty and Communist Party matters.

[redacted] related that he is aware of the bad publicity Mr. Otepka received in connection with his employment by the Department of State when he allegedly leaked information from the Department of State files to a congressional committee. He said that he was aware that there were individuals at the Department of State who were trying to get Mr. Otepka removed from his position prior to the time the alleged leak of information took place so that Mr. Otepka was under tremendous mental and emotional stress in his effort to retain his position. He said he can only say the best concerning Mr. Otepka's loyalty, character, reputation, and associates. He described Mr. Otepka as highly competent, dependable, and a personable individual. He highly recommended him for a position with the SACB. b6

[redacted] Office of International Conferences, Department of State, Washington, D. C., advised that he supervised Mr. Otepka at the Department of State from approximately

Otto Fred Otepka

June, 1959, until April, 1961. During this period [redacted] was Director of the Office of Security and Mr. Otepka was the Deputy Director. [redacted] said that he has no question or reservation regarding Mr. Otepka's loyalty or his moral character. He stated that Mr. Otepka functioned satisfactorily as a personnel evaluator but did not perform as expected as Deputy Director as [redacted] felt Mr. Otepka was not interested in this aspect of his job. [redacted] stated that based on his belief that Mr. Otepka disclosed classified information without authorization from the files of the Department of State, he would not recommend him for a position of trust and responsibility in the United States Government involving classified information. b6

[redacted] Division of Evaluations, Office of Security, Department of State, Washington, D. C., advised that he had known Mr. Otepka since 1954 and had some social contact with him between 1954 and 1958. He said that prior to 1962 he considered Mr. Otepka to be a well-balanced, hardworking individual. After that, he said that Mr. Otepka seemed to change completely and he appeared to be obsessed with the idea that the Department of State was filled with communists or spies. During that period of time, there was somewhat of an internal struggle in the Security Office of the Department of State which culminated in Mr. Otepka's involvement with the Senate Internal Security Subcommittee (SISS). [redacted] said that he has no question concerning Mr. Otepka's loyalty to the United States but declined to recommend him for a position of trust and confidence stating that it is his belief that Mr. Otepka has demonstrated in the past that he cannot be trusted. b6

[redacted] Chief, Division of Evaluations, Office of Security, Department of State, Washington, D. C., advised that he has known Mr. Otepka for more than ten years on a professional basis. He served as Mr. Otepka's assistant when Mr. Otepka was in the Evaluations Division, Office of Security, Department of State. He stated that in a technical sense, Mr. Otepka is professionally competent, knew his work and did it well. He said he knew of nothing derogatory concerning Mr. Otepka's character or reputation. He declined to recommend Mr. Otepka for a position of trust and confidence based on Mr. Otepka's involvement with the SISS in 1963. b6

[redacted] Division of Domestic Operations, Office of Security, Department of State, Washington, D. C., advised that he has known Mr. Otepka since approximately 1954. He has no question as to his loyalty, character, or reputation. He believes Mr. Otepka is technically competent but questions his ability as an administrator. He described Mr. Otepka as

Otto Fred Otepka

aggressive, straightforward, and dedicated to his work. He said he questions Mr. Otepka's loyalty to his superiors based on his involvement with the SISS and for this reason would not recommend him for a position with the United States Government.

[redacted] Applicant Branch, Division of Evaluations, Office of Security, Department of State, Washington, D. C., advised that he has known Mr. Otepka since 1953. He has no question as to his loyalty, character, reputation, or associates. He would not recommend Mr. Otepka for a position of trust and responsibility in the United States Government based on Mr. Otepka's involvement with the SISS and the resultant publicity. He believes that the newspaper publicity concerning Mr. Otepka indicates that Mr. Otepka cannot be supervised by anyone and resents having anyone object to his feelings or beliefs in the area of security. b6

[redacted] Records and Services Branch, Office of Security, Department of State, Washington, D. C., advised that he has known Mr. Otepka since 1953 and socially associated with him from about 1954 until 1958 or 1959. While a senior evaluator under Mr. Otepka, he had great respect for Mr. Otepka's knowledge and ability in the field of security. [redacted] stated that based on Mr. Otepka's involvement with the SISS, he would not recommend Mr. Otepka for a position of trust and responsibility in the Federal Government. He personally knew of no reason to question Mr. Otepka's character, reputation, loyalty, or associates. b6

[redacted] Division of Protective Security, Office of Security, Department of State, Washington, D. C., advised that he has known Mr. Otepka since approximately 1947 and has been associated with him throughout the years on a professional basis. He said that on the basis of this association with Mr. Otepka, he considers him to be a loyal American citizen. He has no question as to Mr. Otepka's character, reputation, and associates. With regard to Mr. Otepka's involvement with the SISS, he thinks Mr. Otepka's intentions were sincere as an American citizen concerned with matters he felt involved subversive activities but he did not agree with his procedure in airing this information. Other than this action on the part of Mr. Otepka, [redacted] knew of nothing which would preclude Mr. Otepka's occupying a position of trust and responsibility in the Federal Government. b6

Otto Fred Otepka

[redacted] United States Senator from Illinois, advised in Washington, D. C., that he first met Mr. Otepka in the early 1960's when he appeared as a witness before the SISS of which the Senator had been a member. He described Mr. Otepka as a responsible, direct witness who readily and completely answered all questions asked of him by the Subcommittee. Senator [redacted] recommended Mr. Otepka as a member of the SACB and for any other position of trust and responsibility in the United States Government for which he may be qualified. He said he has no information which would cause him to question Mr. Otepka's reputation, character, associates, or loyalty to the United States Government. b6

[redacted] United States Senator from Maryland, advised in Washington, D. C., that he has had no personal contact with Mr. Otepka but recalls having met his wife, Edith Otepka, on two or three occasions at political functions in the State of Maryland. Senator [redacted] said he knows of no information which would cause him to question Mr. Otepka's character, associates, reputation, and loyalty, and recommended him for a position of trust and responsibility in the United States Government. b6

[redacted] United States Senator from Maryland, advised in Washington, D. C., that he has no personal knowledge of Mr. Otepka. Senator [redacted] stated that he knows of no unfavorable information of his own personal knowledge concerning Mr. Otepka that would cause him to question his character, reputation, or loyalty. b6

Nineteen additional persons, including professional associates at CSC and the Department of State, social acquaintances, and neighbors, were interviewed. They advised that Mr. Otepka is a loyal American whose character, reputation, and associates are beyond question. Those acquainted with other members of his family advise they are reputable persons. He was described as a devoted family man who is sincere, reliable, and conscientious. They highly recommended him for a position of trust and responsibility in the Federal Government.

Close Relatives

Mr. Otepka has the following living close relatives in addition to his wife, mentioned previously:

Father

Ferdinand Otepka
West Chicago, Illinois

Otto Fred Otepka

Mother

Johanna Jaksa Otepka
West Chicago, Illinois

Brother

Rudolph Otepka
Wheaton, Illinois

Daughter

Joanne Otepka
Washington, D. C.

Credit and Arrest Checks

Information has been received from the appropriate credit reporting agencies indicating their files contain either no record or no additional pertinent information concerning Mr. Otepka or his immediate family.

Information has been received from the appropriate law enforcement agencies indicating their files contain no record of Mr. Otepka or his immediate family.

Security Clearances

The records of the Office of Security, Department of State, Washington, D. C., reveal that the Department of State conducted a background investigation concerning Mr. Otepka in 1953 with favorable results. On June 17, 1953, the Office of Security granted Mr. Otepka a security clearance. The Bureau of Security and Consular Affairs, Department of State, on December 2, 1953, granted Mr. Otepka a security clearance under the Federal Employee Security Program and at the same time granted him a clearance for promotion in the Department of State. On February 7, 1961, the Office of Security, Department of State, granted Mr. Otepka a security clearance for the handling of Cosmic material. Mr. Otepka's file at the Office of Security, Department of State, does not show any termination of clearances but the Office of Security advised that all of its clearances terminate when an individual's relationship with the Department of State terminates.

Bar Affiliations

A check of appropriate bar and bar associations was made and no record was found concerning Mr. Otepka.

Otto Fred Otepka

Agency Checks

Information has been received from the following governmental agencies indicating their files contain either no record or no additional pertinent information concerning Mr. Otepka:

Central Intelligence Agency; House Committee on Internal Security; Naval Investigative Service, Naval Intelligence Command; Office of Security, Department of State; Office of Security, Department of the Treasury; United States Secret Service; and the White House Office.

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning Mr. Otepka.

4-16-69

Airtel

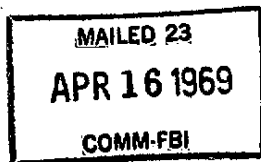
To: SAC, Washington Field (161-5685)

From: Director, FBI (161-6231)

OTTO FRED OTEPKA
SPI

You are instructed to make every effort to bring this case to a logical conclusion as soon as possible.

Remaining investigation must be expedited and results promptly furnished to the Bureau.



161-6231-15

NOT RECORDED

12 APR 25 1969

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54 MAY 26 1969

MAIL ROOM ☒ TELETYPE UNIT ☐

Return to Mr. ~~Hahn~~, Room 7638.

F B I

Date: 4/16/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-5685) (RUC)

OTTO FRED OTEPKA, aka
SPI

Re WFO airtel 4/9/69.

Files of the Passport Office, U. S. Department of State, were made available for review to SE [redacted] on 4/16/69 and they disclose OTTO FRED OTEPKA was issued Diplomatic Passport # 18103 on 4/27/59 for proposed travel of about six weeks on official business to conduct an inspection of the State Department's Foreign Service Security Posts in Europe and the Middle East, all of which were outside Iron Curtain countries. No additional pertinent information was contained in the Passport files.

161-6231-16

RECEIVED

APR 25 1969

1-Bureau
1-WFO

JER:pmh
(2)

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

April 17, 1969

BY LIAISON

1 - Mrs. Brown
1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Egan

Honorable John D. Ehrlichman
Legal Counsel to the President
The White House
Washington, D. C.

Dear Mr. Ehrlichman:

By letter dated April 11, 1969, you were furnished a summary memorandum containing the results of investigation conducted concerning Mr. Otto Fred Otepka. The enclosed summary memorandum contains additional information concerning Mr. Otepka.

With regard to the attached article from "The New York Times" dated April 4, 1969, this is to advise that no inquiries have been made with regard to the allegations in this article to the effect that Mr. Otepka had been active with reported associates of the John Birch Society.

The results of a check of the records of the Passport Office, Department of State, will be furnished to you immediately upon receipt.

Sincerely yours,

Enclosures (2) NOTE: In the attached memorandum, Cleveland to Gale, dated 4-10-69, it was approved that the White House be informed that no inquiries were made with regard to the allegations in this article in "The New York Times" concerning Mr. Otepka's possible activity with associates of the John Birch Society.

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ENCLOSURE

54 MAY 26 1969

MAIL ROOM ☐ TELETYPE UNIT ☐

Return to Mr. Egan, Room 7638.

ATTACHED WITH
SERIAL 1

NOT RECORDED

12 APR 25 1969

April 17, 1969

OTTO FRED OTEPKA

The information in this memorandum supplements that which appears in a memorandum dated April 11, 1969.

Interviews

Frances G. Knight, Director, Passport Office, Bureau of Security and Consular Affairs, Department of State, Washington, D. C., advised that she has known Mr. Otepka on a professional basis since approximately 1953. She stated that she has a very high regard for Mr. Otepka both personally and professionally. She considers him to be a loyal and dedicated citizen. Miss Knight related that she is convinced that Mr. Otepka was unjustly treated by the Department of State and feels that "he was right and the Department was wrong." She recommended Mr. Otepka for a position of trust and confidence with the United States Government. She continued that she feels Mr. Otepka is well suited for appointment to the Subversive Activities Control Board and will do an excellent job in that assignment.

Robert D. Johnson, Deputy Director and Chief Counsel, Passport Office, Bureau of Security and Consular Affairs, Department of State, Washington, D. C., advised that he has known Mr. Otepka on a professional basis since 1953. He stated that he has no reservations regarding Mr. Otepka's loyalty to the United States. Mr. Johnson added that Mr. Otepka's character, habits, and morals are above reproach and he recommended Mr. Otepka for a position of trust and confidence with the United States Government. He continued that he feels Mr. Otepka was unjustly treated at the Department of State. He believes that Mr. Otepka's background and capabilities are such that he will make a worthwhile contribution at the Subversive Activities Control Board.

Agency Check

A check of the records of the Bureau of Personnel Investigations, Civil Service Commission, reveals no additional pertinent information concerning Mr. Otepka.

RHE:lsk

Return to Mr. [Signature] Room 7638.

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MAIL ROOM ☐ TELETYPE UNIT ☐

Otto Fred Otepka

Miscellaneous

"The New York Times" for April 4, 1969, contained an article entitled "Fund With Birch Society Ties Helped Otepka in State Department Job Fight by Paying Legal Debts," a copy of which is enclosed.

Enclosure

April 21, 1969

BY LIAISON

1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Egan

Honorable John D. Ehrlichman
Legal Counsel to the President
The White House
Washington, D. C.

Dear Mr. Ehrlichman:

By letters dated April 11, 1969, and April 17, 1969, you were furnished summary memoranda containing the results of investigation conducted concerning Mr. Otto Fred Otepka.

It has been determined that the records of the Passport Office, Department of State, indicate that Mr. Otepka was issued a diplomatic passport on April 27, 1959, for proposed travel on official business to various countries in Europe and the Middle East. These files contain no derogatory information concerning him.

This concludes the investigation of Mr. Otepka.

Sincerely yours,

161-6231-18
NOT RECORDED
12 APR 25 1969

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54 MAY 26 1969

MAIL ROOM ☐ TELETYPE UNIT ☐

Return to Mr. Egan, Room 7638.

8/26/70

Airtel

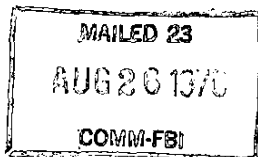
To: SAC, Washington Field (161-5685)

From: Director, FBI (161-6231)

OTTO FRED OTEPKA
SPECIAL INQUIRY

White House has requested expedite check of
the Internal Revenue Service re Otepka for any information
since April, 1969, investigation.

Handle as quickly as possible.



161-6231-20

ENCLOSURE

REC-79

161-6231-20

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NOTE: Request received today from White House.

DHY:mf (4)

1 AUG 31 1970

54 SEP 2 1970 MAIL 1070 TELETYPE UNIT

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

August 25, 1970

TO: Robert H. Haynes, FBI

FROM: Alexander P. Butterfield

SUBJECT: FBI Investigations

Subject's Name OTEPKA, Otto Fred

Date of Birth 5/6/15 Place of Birth Chicago, Ill.

Present Address 1832 Arcola Ave., Silver Spring, Md.

We request:

 Copy of Previous Report

 X Name Check anything pertinent since 4/21/69 full field.

 Full Field Investigation

 X Internal Revenue Service check

The person named above is being considered for:

 White House Staff Position

 X Presidential Appointment

 Position with another Agency

ATTACHMENTS:

 SF 86 (in duplicate)

 SF 87, Fingerprint Card

 Biography

REMARKS:

REPORT SHOULD BE DELIVERED BY FBI TO: GERTRUDE BROWN

161-6231-20
ENCLOSURE

Federal Bureau of Investigation
Records Branch

, 19__

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☒ Attention Conrad
☒ Return to 125-8
 Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject Dr. Fred C. C. C.
 Birthdate & Place 8-6-15, 1904
 Address _____

Localities _____

R# _____ Date 7-25 Searcher Initials 11

Prod. _____

FILE NUMBER	SERIAL
161-6231	
161-6231-14	Sumner
	11-11-69
65-68266	
140-22795	
161-6231	
NP 157-12589-31	3-13-69
	NP 25 EP-21
100-281764-8	9
NP 157-12589-7	
100-110060	
100-110060	
100-110060	

April 25, 1969

CONGRESSIONAL RECORD — SENATE

S4101

of this shocking incident. I ask unanimous consent that my news release of April 15, 1969 be printed in the CONGRESSIONAL RECORD following my remarks.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

A NEWS RELEASE FROM THE OFFICE OF U.S. SENATOR STROM THURMOND, REPUBLICAN OF SOUTH CAROLINA, APRIL 15, 1969

WASHINGTON, D.C.—North Korea's destruction of a U.S. Navy unarmed aircraft in the free skies over international waters is another act of dastardly aggression by the communists. The military power of the U.S. can no longer be made a mockery by North Korea. This malicious act in violation of international law cannot be accepted. It is time we use our power to protect our men and our national interests.

It is most disturbing to me that the United States did not provide fighter aircraft to protect this reconnaissance flight in such a sensitive area. Apparently, this Navy flight was a "flying Pueblo." I would think by this time that we would have learned a tragic lesson in dealing with North Korea which has been committing provocative acts of aggression for years against our forces and South Korea. I would like to know why this "flying Pueblo" was not protected.

I am hopeful that current search and rescue operations for the crew of 31 are successful. However, it is most distressing to learn that the U.S. is sending only one search aircraft and two destroyers for the search. The U.S. Navy and Air Force should move in appropriate strength to the Sea of Japan in search of the crew. It should be an all-out search with maximum combat forces. If North Korea attacks this rescue force, then our forces should be under orders to destroy all attackers.

THE DUBCEK OUSTER

Mr. THURMOND. Mr. President, 2 weeks ago I stood in the streets of Prague and watched the expressions on the faces of the Czechoslovak people, hungry for freedom. I said then that it was my hope that the Czechoslovak people would enjoy the same freedoms which we enjoy in the United States.

At that time, those of us in the delegation did not know that First Party Secretary Alexander Dubcek had already been designated to be removed from his office. That very day, Marshal of the Soviet Union, A. A. Gretchko, was in conference with Dubcek, giving him his orders from Moscow.

Dubcek was out, Gustav Husak was in. Stalinism was once more triumphant in Czechoslovakia, as it must be triumphant wherever communism exerts its rule. We did not know then nor did the world until the following week that Dubcek was being removed by Soviet orders, but it was obvious that Dubcek would remain in office only as long as the Soviets thought it necessary to exterminate their opposition.

Mr. President, the State newspaper has ably summed up the contrast between Dubcek and Tito in their editorial "Goodbye to Dubcek." The State says:

Free inquiry must of necessity lead to rejection of Communism as a system of economics and it is this system on which the state is built. Tito, for all his corruption of Communist economics, has never been so foolish as to suggest that dangerous ideas should not be suppressed and their proponents punished.

This, in essence, sums up the meaning of communism and Soviet rule.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial entitled "Goodbye to Dubcek," published in The State for April 20, 1969.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOODBYE TO DUBCEK

The Czech reformer, Mr. Alexander Dubcek, has been relieved of his public duties and now will have time, if he lives, to reflect on the error of his ways. Chief among his missteps, as Dubcek must recognize better than anyone else, was the attempt to mix oil and water—that is to say, Communism and freedom.

This is a nearly impossible task under the best conditions, and it was Dubcek's miscalculation to attempt it under the worst. Even had he been able to reconcile the contradictions at home, the Russians would have prevented it. They understand what Dubcek allowed himself to forget: To cure the disease of Communist totalitarianism is to kill the doctor.

Economists—even Communist economists—long have recognized the fallacy of Marxism and its Labor Theory of Value. Pure Marxism, which dismisses the function of profit, is incapable of assigning priorities to investment and disinvestment and consequently cannot work. But the pretense is maintained. It has to be maintained, for without the excuse of Marxist economics the need for state management ceases to exist.

This is fundamental to an understanding of why the most permissive Communist governments require rigid censorship. They may fudge on the economics of Communism—slyly instituting the profit motive by some other name, as in Yugoslavia, Romania and even the Soviet Union. But they cannot allow the unfettered freedom of speech and scholarship that free nations accept as a matter of course.

Add to this the danger that nationalism represents to Moscow's military complex in Eastern Europe and it is easy to see why Dubcek failed. He was doomed from the start. As long as the Western nations keep hands off the satellites—which is likely to be a good, long while—the Russians always will snuff out such rebellions as jeopardize the purity of fictive Communism among the Soviet dependents.

Optimism was sustained in Dubcek's case only because of the failure in the West to understand or accept the necessarily repressive nature of Communism. It was thought that Czech Communism could be liberalized, the press unshackled, scholars cut loose from their straitjackets, critics set free to probe the Marxist superstition. This appears to have been Dubcek's misapprehension; too, although in the early stages of reform he was moved to warn against any attempt to challenge the Communist theology.

This very warning underscores the Dubcek error. Free inquiry must of necessity lead to rejection of Communism as a system of economics, and it is this system on which the state is built. Tito, for all his corruption of Communist economics, has never been so foolish as to suggest that dangerous ideas should not be suppressed and their proponents punished.

Tito has survived. Dubcek has not. And free men will contemplate this lesson in survival without enjoyment.

THE OTEPKA APPOINTMENT

Mr. THURMOND. Mr. President, in recent weeks, the New York Times has published three articles and editorial at-

tacking the judgment of President Nixon in appointing Otto Otepka to the Subversives Activities Control Board.

While everyone has a right to an opinion on this topic, the New York Times has been less than candid in acknowledging its own conflict of interest in this affair. Readers who read the recent editorial attacking Mr. Otepka's integrity would have found no clue indicating that one of the principal names in the Otepka case was printed at the top of the newspaper masthead. I am referring, of course, to Mr. Harding F. Bancroft, executive vice president of the New York Times.

Mr. Bancroft's name was one of six individuals submitted to Mr. Otepka for evaluation from a security and suitability standpoint. His name was among those who were judged to require further investigation under law and regulations before the appointment could be made. In other words, because of certain material of a security nature which Mr. Otepka found in their files, the regulations of the State Department under Executive Order No. 10450 required that a full investigation would be necessary. This is not to say that Mr. Otepka labeled Mr. Bancroft as a security risk or made any allegations whatsoever about his character. He merely said that the same regulations should apply to Mr. Bancroft as would apply to any other citizen of the United States under such circumstances.

Instead of accepting Mr. Otepka's recommendation, the State Department chose to appoint Mr. Bancroft on a waiver, thereby taking the case out of Mr. Otepka's hands. This action later became a central issue in Mr. Otepka's testimony before the Senate Internal Security Subcommittee when he cited it as an example of declining respect for security regulations. When his superiors denied that this action had been taken, Mr. Otepka furnished for the subcommittee his memorandum protesting the waivers as evidence that his superiors had lied.

Today we find, then, that Mr. Bancroft is now the executive vice president of the newspaper which is leading the attack against Mr. Otepka. I repeat that Mr. Otepka never attacked Mr. Bancroft but merely said he should be subject to the same security regulations as any other U.S. citizen. Now, 8 years later, Mr. Bancroft's newspaper is leading the vendetta against Mr. Otepka. It is hard to believe that there is not some element of retaliation in this instance.

It is also interesting that Mr. Bancroft's expressed views on security were contrary to the security policies under which Mr. Otepka was operating. After Mr. Bancroft was hired on the basis of a security waiver, he participated in a report for the State Department, recommending that U.S. citizens employed by the United Nations should not be made the subject of regular security precautions. The report of this Commission also became one of the cases investigated by the Senate Internal Security Subcommittee as evidence of the degenerating security system at the State Department.

Mr. President, I ask unanimous consent that pertinent excerpts from the published testimony before the Senate

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Internal Security Subcommittee printed in the Record at the conclusion of my remarks. I also ask unanimous consent that two columns by Paul Scott reporting on Mr. Bancroft and the New York Times campaign be printed in the Record at the conclusion of my remarks. The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, 3, 4, 5, 6, 7, 8, and 9.)

EXHIBIT 1

STATE DEPARTMENT INTERNAL CORRESPONDENCE LEADING UP TO ISSUANCE OF SECURITY WAIVERS FOR HARDING BANCROFT, ET AL.

DEPARTMENT OF STATE, REFERENCE SLIP, FEBRUARY 4, 1963

Office of the Deputy Assistant Secretary for Security

Routing: Mr. Otepka.

Subject: Loyalty Investigation of U.S. Citizens Employed by International Organizations.

Would you look into this please and may I have your views by February 8?

Attachment: Copy of MEMO FOR OIA—Mr. Hefner re subj dtd 1-27-63.

From: John F. Reilly.

JANUARY 27, 1963.

Memorandum for: OIA—Mr. Hefner.
Subject: Loyalty Investigations of U.S. Citizens Employed by International Organizations.

It seems to me the subcommittee has made a sufficiently strong case for changing the policy on loyalty investigations, to justify our pushing right ahead with a recommendation for the change.

I take it that the essential change (to provide that non-professional employees, employees in P-1 slots, and persons employed for less than two years, should be cleared on the basis of a check without full field investigation) could be accomplished through a change in the Executive Order without a change in basic legislation involved. This would also be true of the other recommendation, that professional employees be cleared, with a full field investigation after they have been hired, could also be done by Executive Order, but I doubt if we would want to do this without full consultation on the Hill, notably with Senator Stennis.

You already have the original of a memorandum from the Legal Adviser. Would you please work with L in developing a recommendation to the Secretary, which should also be cleared with Mr. Orrick and Mr. Dutton?

CC: Mr. Wallner
Mr. Gardner
Mr. Chayes
Mr. Orrick
Mr. Dutton

IO—HARLAN CLEVELAND.

FEBRUARY 8, 1963.

Mr. REILLY: As requested by you, I have looked into this matter fully and have obtained significant information which I am ready to discuss with you today at your convenience. (I will be at an ICIS meeting in Justice from approximately 1:45 p.m. to 4:00 p.m.)

OTTO F. OTEPKA.

Attachments:

1. Copy of Memorandum for OIA—Mr. Hefner re Loyalty Investigations by International Organizations, dated January 27, 1963

2. Mr. Reilly's chit to Mr. Otepka of Feb. 4, 1963

[Confidential]

SEPTEMBER 17, 1962.

IO—Mr. George M. Czayo

O/SY—John F. Reilly [initialed J.F.R. in ink].

Processing of Appointments of Members of the Advisory Committee on International Organization Staffing.

Reference your memorandum of July 6, 1962 which furnished a copy of Mr. Harlan Cleveland's memorandum dated July 3, 1962 to Under Secretary Ball describing a proposal to establish an advisory committee that would undertake a study with respect to fiscal policy and staffing of international organizations. Mr. Cleveland's memorandum expressed his concern that posts available to the United States and to other non-Communist countries in the UN agencies be properly staffed in order to effectively combat Soviet subversive designs on those agencies.

In a memorandum dated August 7, 1962 addressed to PER-EMD—Mr. Simpson (copy to SY) you requested that the proposed members of the Committee be entered on duty as employees by a security waiver and indicated that each proposed member would comply with the Department's regulations by supplying completed processing forms.

As of this date full security clearances have been issued for Arthur Larson and Francis O. Wilcox. Mr. Sol Linowitz's will also be issued shortly. As to the others, forms have been received for all except Harding Bancroft, Joseph Pois and Karney Brasfield which, it is understood, are forthcoming.

Mr. William H. Orrick, Jr., Deputy Under Secretary for Administration, has issued a memorandum expressing his reluctance to recommend to the Secretary that he sign any further waiver unless there was a genuine urgency and an ample justification for the person's services.

In view of the fact that the full Committee shall not meet again until sometime in November and that five of the individuals proposed for membership on the committee have data in their files developed by prior investigation that is not entirely favorable, I am not recommending that waivers be granted.

O/SY: DIBellis [initialed in ink]: mc Dist.

Orig & 1 addressee

cc subject file

cc chron cc OFO chron

EXHIBIT No. I-a

[Handwritten note at top of memo: "Sent to Reilly for signature, 9/13/62."]

IO—Mr. George M. Czayo

O/SY—John F. Reilly

Processing of Appointments of Members of the Advisory Committee on International Organization Staffing

Reference is made to your initial memorandum of July 6, 1962, addressed to SY—Mr. Otepka with which you furnished a copy of Mr. Harlan Cleveland's memorandum dated July 3, 1962, to Under Secretary Ball describing a proposal to establish an advisory committee that would undertake a study extending over a period of about six months with respect to fiscal policy and staffing of international organizations. I have particularly noted in Mr. Cleveland's memorandum his concern that posts available to the United States and to other non-Communist countries in the U.N. agencies be properly staffed in order to effectively combat Soviet subversive designs on those agencies.

In your initial memorandum you indicated that the members of the committee would need to be appointed to the Department as Consultants and each would require a security clearance predicated on a full field investigation. Also, you requested a security

clearance to allow the proposed members to participate in the first meeting of the committee to be held on July 25, 1962 in which classified data would be discussed. With the understanding that the participants (except those who were already State Department employees) would have controlled access to classified data through Secret as necessary for the meeting and with the further understanding that the services they contributed would not then constitute employment by the Department, SY granted an "access" clearance to these participants. Subsequently, these and other proposed members of the committee were granted the same level of clearance by SY for a second meeting in the terms of the same understanding as for the first meeting. Such clearances are permitted by Section 7, E. O. 10501 for persons not actually employed by the Federal Government who may need to be consulted occasionally in some specialized field.

In a second memorandum dated August 7, 1962 addressed by you to PER/EMD—Mr. Simpson (copy to SY) you requested that the proposed members of the committee be entered on duty as employees by a security waiver (i.e. an emergency clearance signed by the Secretary pursuant to 3 FAM 1914.2). You indicated that each proposed member would comply with the Department's regulations by supplying completed processing forms (applications for employment, security questionnaires, fingerprint charts, etc.).

In résumé, as of this date full security clearances under E. O. 10450 for employment in sensitive positions have been issued by SY to PER/EMD for Arthur Larson and Francis O. Wilcox. Their security history satisfied the requirements of E. O. 10450 without the necessity of either person furnishing any processing forms for SY use and without resorting to a waiver. As to the others, forms have been received for all except Harding Bancroft, Joseph Pois and Karney Brasfield which, it is understood, are forthcoming.

I have been informed that the full committee shall not meet again until some time in November. I share Mr. Cleveland's concern with regard to one objective to be achieved from the committee's study, namely, the defeat or minimising of Soviet subversive tactics. For these and the following reasons I would like to urge you to withdraw your request for a security waiver:

1. An emergency clearance does not allow SY to take the maximum precautions prescribed by regulations for the security of the Department's operations. When a person is permitted to occupy a sensitive position before he is adequately investigated and where he must have access to highly classified information in the course of his duties, post appointment investigations may develop derogatory information thereby creating a question as to whether the Department's security interests have been damaged by disclosing vital data to a potentially undesirable person.

2. The frequent, and perhaps excessive use in the recent past of emergency clearances for officer personnel caused Mr. Orrick to issue a memorandum clearly expressing his reluctance to recommend to the Secretary that he sign any further waiver unless there was a genuine urgency and an ample justification for the person's services.

3. Five of the individuals proposed for membership on the committee have data in their files developed by prior investigations that is not entirely favorable. These investigations are either not current or are incomplete, or both. On the basis of the provisions in E. O. 10450, some, if not all of this information must be carefully reconsidered under a broad security standard which can best be done if a supplementary and current

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investigation is completed before those persons enter on duty as employees.

4. SY believes that if the meetings of the committee are not to be resumed until November we can provide the necessary investigation of each case that should fully resolve any presently existing question. We cannot, of course, predict the final outcome, but we believe it is not in the Department's best interest to "invite" any derogatory case into the Department before a full investigation has been completed and an impartial and thorough assessment has been made based on all of the facts.

5. SY is prepared soon to add the full clearance of Sol Linowitz to those granted to Mr. Larson and Mr. Wilcox.

Distribution:

Orig and 1 addressed
cc—chron file
cc—subject file
cc—chron file (Mr. Reilly's)

O/SY/E:OFOtepka:cbp, 9-13-62.

EXHIBIT No. I-b

DEPARTMENT OF STATE REFERENCE SLIP,
SEPTEMBER 13, 1962

To: Mr. Belisle [initial in ink].
Mr. Reilly.

[for] (X) Approval. (X) Signature.

Remarks or additional routing:

Dave, re your note appended to my memorandum of September 10, 1962 as result of my conversation with Czayo who said committee would not meet again until November, I prepared a memorandum from JFR to Czayo which I think will dispense with the necessity of taking this up with Orrick along the lines you suggested.

Attachment: Suggested memorandum to Mr. Czayo drafted by Mr. Otepka.

OTTO F. OTEPKA.

EXHIBIT No. I-c

Handwritten memo to Mr. Otepka:

Otto: Pls. prepare a memo for Mr. Orrick relating the reasons for our recommendations that we not grant the waiver.

You will have to summarize the info rather than referring to the Tabs.

Suggest you follow this procedure rather than the memo from SY/E to SY. This will eliminate unnecessary typing and work on your part.

/s/ BELISLE.

9-11-62.

Handwritten marginal note: "Not necessary. See subsequent memo to IO. Czayo. OFO 9/13/62"

EXHIBIT No. I-d

Handwritten memo on margin of copy sheet.

3x5 "chit," handwritten, from Belisle to Reilly re Otepka's draft of 9/13/62.

JACK: I agree with the conclusions—however, we sure go thru a hell of a lot of words. If you concur, I'm going to start knocking these down—short and concise.

/s/ D.

Handwritten memo on bottom of copy sheet: "Reilly's note said 'I agree. Let's start with this one'."

EXHIBIT No. I-e

Department of State, Washington.

Interdepartmental Reference.

Referred to: Otto, Office of Security, Division of Evaluations, September 20, 1964.

Comments: I am returning your orig along with copy sent to rewrite.

Please make memos short—concise and to the point. Your orig was too verbose and contained too much detail.

/s/ BELISLE.

EXHIBIT No. I-f

[Confidential]

SEPTEMBER 10, 1962.

O/SY—Mr. John F. Reilly.

SY/E—Otto F. Otepka—F [initials in ink]

Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz.

On August 7, 1962, IO—Mr. Czayo submitted a request to PER/EMD concerning emergency clearance for each of the above individuals pursuant to 3 FAM 1914.2 indicating therein that immediate interim clearance be processed for Shulman and Finkelstein and that subsequent requests for emergency clearance would follow for the others. PER/EMD forwarded Mr. Czayo's memorandum to SY on August 8, 1962 accompanied by a specific request for an immediate "waiver" on Shulman and Finkelstein.

Acting on the basis of information provided by IO that it was necessary for Assistant Secretary Cleveland urgently to utilize Wilcox, Larson, Finkelstein, Shulman, Cordier, and Gross on the Advisory Committee on International Organization Staffing with the understanding that they (a) would have only limited and controlled access to certain data relating to these operations (b) would not enter into any formal employment relationship and (c) would not be compensated for their services, SY granted those six persons clearances for access to classified data through Secret (as permitted by Section 7, E. O. 10501) to enable them to participate in two initial meetings of the Committee. It was stated by IO that formal employment of these persons would take place at a later date.

In the meantime SY continued to process the usual preliminary inquiries which are conducted on proposed emergency appointees. While these were in process Mr. Orrick issued his memorandum of August 21, 1962 expressing his reluctance to further recommend any emergency clearance to the Secretary unless amply justified and also indicating that he would insist on full field investigations, including completion of processing forms and personal interviews, before a clearance would be granted for employment in a sensitive position.

I have examined the SY files and other records on all of the eight individuals. I found that the investigative and clearance data in the cases of Wilcox and Larson is adequate to issue a full security clearance without further investigation and without these persons having to submit SF-86 and SF-87. I am concerned, however, with the others on whom I submit the following résumé:

LAWRENCE FINKELSTEIN

There was no pertinent derogatory information developed in the preliminary checks. However, it was revealed Finkelstein was a research employee of the Institute of Pacific Relations (1949-51) and a contributor to its publications. At that time the IPR was under active investigation by the Senate Internal Security Subcommittee. Though not a Communist organization, subject's activities on behalf of the IPR should bear scrutiny before (not after) appointment to determine if subject was under the influence of the inner core directorate of IPR whom the Internal Security Subcommittee found to be Communist or pro-Communist. [One sentence deleted: reference to medical record.]

There is only meager investigative history regarding Finkelstein.

MARSHALL D. SHULMAN

Shulman was considered for an emergency appointment in January 1958. Pertinent in-

formation regarding this proposal is set forth in the underlying Tab A. Other significant information appears as Tab B. SY was informed by SCA in February 1958 that Mr. Shulman "was not available for appointment." In November 1961 S/S reviewed Shulman's SY file following a request that an inquiry be initiated by SY with respect to the proposed appointment of Shulman as a Consultant to Under Secretary Ball. On November 13, 1961 S/S informed SY it would have no immediate use for Shulman's services.

I do not recommend the emergency clearance of Shulman. It is my view he should be thoroughly investigated prior to appointment for the reasons indicated in Tab A.

ANDREW CORDIER

Cordier was employed by the UN from 1946 to 1961. He was Executive Assistant to Secretary General of the UN, Dag Hammarskjöld, from 1957 until the latter's death in 1961. Cordier then retired from the UN. Cordier was cleared by the Civil Service Commission under E. O. 10422 in 1953 after appropriate investigation conducted under the provisions of that Executive Order. A summary of the investigative data developed appears in underlying Tab C. Following that investigation Povl Bang-Jensen, a Danish employee of the UN, accused Cordier of pro-Soviet views and charged that Cordier brought about his (Bang-Jensen's) dismissal by the UN because Bang-Jensen refused to turn over the names of Hungarian Freedom Fighters to the UN where the Soviets would have access to them. Bang-Jensen later was found dead under mysterious circumstances in Central Park, New York City. In 1960 the Senate Internal Security Subcommittee published a report on the Bang-Jensen case which prominently mentioned Cordier. Detailed information about Cordier is in the Bang-Jensen file and this data needs to be fully coordinated with the SY file on Cordier.

I do not recommend the emergency clearance of Cordier. His SY file together with the findings of the Internal Security Subcommittee reflects far too many unresolved matters which in the best interests of the Department should be clarified before his appointment.

ERNEST GROSS

Gross is a former Presidential appointee having served as a U.S. Delegate to UNGA, successively in 1950-53. He served the Department in other high capacities from 1946 to 1949. He was cleared for those appointments under the then existing standards. He has not been investigated since 1953. In 1953 Gross became employed as a legal adviser to Secretary General Dag Hammarskjöld of the UN and reportedly represented the Secretary General in the Bang-Jensen matter. In 1958 Bang-Jensen asserted Gross was friendly with Alger Hiss. There is no pertinent data in SY files explaining the significance of this information.

I recommend that the foregoing matters regarding Gross be clarified by investigation before he re-enters on duty in the Department of State in a sensitive position.

HARDING BANCROFT

Bancroft is a former employee of the Department. He left in 1953 when he accepted an appointment in Geneva with the International Labor Organization. He was considered for reappointment to the Department in 1955 at which time his case came up for readjudication under the standard of E. O. 10450 in connection with his re-employment rights. The case was closed without decision when Bancroft failed to exercise his re-employment rights. A rough draft summary

prepared at that time (Tab D) covers the substantive data in his file. He has not been investigated since 1954.

On the basis of the above information I recommend a supplementary investigation under E. O. 10450 before Bancroft is reemployed by the Department.

SOI LINOWITZ

There is no previous investigative data on Linowitz in SY files. Preliminary record checks in files of other agencies are pending.

Unless IO submits a justification indicating that Linowitz's services are essential to the immediate needs of the Committee I would feel that he should be investigated before appointment and according to the terms specified in Mr. Orrick's memorandum of August 21, 1962.

I discussed with Mr. Czayo on September 6, 1962 the provisions in Mr. Orrick's memorandum of August 21, 1962 and also pointed out to him generally the difficulty for SY in rendering judgment for an interim security clearance in the cases of Finkelstein, Shulman, Cordier, Bancroft, and Gross where there is unresolved derogatory information. I said that in such cases there are far more problems generated in attempting to clarify the information after appointment than there would occur if the Department carried out the requirements prescribed by its regulations, i.e., assuring the maximum security of its operations and personnel by obtaining current and satisfactory full field investigations before appointment.

I told Mr. Czayo that the substantive data in the five cases (Finkelstein, Shulman, Cordier, Gross and Bancroft) would be brought to Mr. Orrick's attention and suggested that perhaps Mr. Cleveland might wish to discuss them with Mr. Orrick to determine whether the investigations should proceed on a preappointment or post appointment basis in the light of the urgency of the needs of the Department in regard to the functions of the Advisory Committee on International Organization Staffing.

You may wish, therefore, to bring this matter to Mr. Orrick's attention orally. If more written staffing data is desired please let me know.

Attachments: A, B, C, and D.

(EDITOR'S NOTE.—Attachments not printed because they were not furnished.)

August 7, 1962.

Memorandum: EMD—Mr. Simpson.

(Attention: Mrs. Selvig).

Subject: Request for Waiver, Advisory Committee on International Organization Staffing: Ernest A. Gross, Marshall D. Shulman, Andrew W. Cordier, Harding Bancroft, Lawrence Finkelstein, Francis O. Wilcox, Arthur Larson.

Assistant Secretary Harlan Cleveland, with the concurrence of Mr. Ball and after general discussion with the Bureau of the Budget has initiated a management study on the strengthening U.S. influence in the financial management and staffing policies of international organizations. A survey staff, composed of AID, Bureau of the Budget, and State employees, headquartered in the New State Building, are responsible for fact-finding, analysis and preparation of recommendations. An advisory group of private citizens will come in from time to time for consultations and meetings relative to United States strategy in the United Nations.

The first meeting of the advisory group took place on July 25, 1962, and access clearance was granted for this meeting. It is Mr. Cleveland's desire to employ the individuals who comprise the advisory group as either WOC or VAE consultants, depending on the amount of the allocation the Department of State will receive from the Management Improvement Appropriation. This will be determined when the position descriptions are prepared and formal request for employment made on DS-1031.

Mr. Otepka's memorandum of August 1, 1962, a copy of which was sent to your office, indicates that no investigation is required of two of the members—Francis O. Wilcox and Arthur Larson.

I understand that security clearance is in process on Marshall D. Shulman at the request of INR, who intend to appoint Mr. Shulman as Consultant. Completed employment forms are attached herewith for Lawrence Finkelstein. I request that a security waiver be processed for these two in order that they may be cleared for a series of meetings which are planned for early September.

We have sent employment forms to Ernest Gross, Andrew Cordier and Harding Bancroft and will forward them to you as soon as they are received with a similar request for security waiver. Access clearance for the July meeting was not granted Harding Bancroft because he was in Europe and was not available for that meeting.

IO—GEORGE M. CZAYO.

EXHIBIT 2

EXCERPTS FROM REPORT PREPARED BY HARDING BANCROFT, ET AL., RECOMMENDING REDUCED SECURITY REQUIREMENTS FOR U.S. CITIZENS EMPLOYED AT U.N.

Senator DIRKSEN. Then without objection and by agreement, this copy which has been authenticated by Mr. Reilly will be made a part of the record, as previously ordered.

Mr. SOWINE. Thank you, Senator.

(Editor's note: The document referred to above is a report (with a foreword) of the Advisory Committee on Management Improvement, dated March 1963, on the subject of "Staffing of International Organizations," which bears the date of February 19, 1963. At the beginning of this report is a short "Foreword" apparently signed by 12 members of the Advisory Committee. The cover page bears the date of March 1963. On top of this were three pages captioned "Staffing International Organizations Summary of Recommendations," and bearing the date of February 25, 1963. All portions of the document, in the order in which they were stapled together when received by the subcommittee, are reproduced here.)

STAFFING INTERNATIONAL ORGANIZATIONS

Summary of recommendations

1. The United States should alter its attitude toward the staffing of international organizations which has been, during a period of time, somewhat laissez faire to one of objective alertness. It has an obligation under the U.N. Charter to seek to improve the quality of personnel and of personnel administration in the international agencies.
2. The President should announce a policy in respect to staffing of international organizations which envisions much fuller use of all U.S. Government departments and private organizations in this effort. The policy statement should be accompanied by a move to set up a U.S. Government Advisory Council composed of representatives of private agencies in the fields of international relations, education, business, labor, and agriculture to support Government efforts to nominate highly qualified personnel for this purpose.
3. It is recommended that the position of Special Assistant to the Assistant Secretary for International Organization Affairs be set up with the function of developing and directing the execution of a single U.S. recruiting policy utilizing all appropriate Government resources and available private resources. The incumbent of this position would serve as a central information and record point, would evaluate the effectiveness of U.S. recruiting efforts, and would coordinate the efforts of U.S. missions abroad. Actual recruitment would be decentralized to U.S. Government agencies which are counterparts of the U.N. agencies. In those cases where counterpart U.S. agencies do not exist, responsibility for recruitment should rest with an international recruiting service within the

State Department. A U.S. Government coordinating committee for international recruitment should be formed to facilitate access to the total personnel operations of the Government, as needed.

4. To serve total U.S. purposes, arrangements should be made to facilitate the cooperative use of AID and State of the U.S. AID recruiting and placement mechanisms for bilateral aid and the counterpart U.S. mechanisms for multilateral aid. The needs of both organizations can be met more expeditiously by full cooperation and there should be a definite U.S. policy that promotes the idea the service in either multilateral or bilateral aid organizations is a part of the career ladder for all U.S. technical assistance personnel.

5. It is recommended that Executive Order 10422 be amended to eliminate the requirement for a full field investigation for U.S. citizens recommended for employment through the P-1 grade and for all persons of any grade being considered for employment for a period of 2 years or less and that only a national agency check be used for those people. A full field investigation after employment is recommended for those above the P-1 level being considered for extended employment. The national agency checks would be completed, however, before U.S. citizens are recommended for employment by international agencies. No clearance procedure should be required for U.S. Federal Government employees who have been cleared and are in good standing in their agencies. Funds for all such checks and investigations should be appropriated to the Department of State and it should be permitted to use any investigative agency it chooses.

6. The United States should sponsor a study of emoluments for U.S. and U.N. personnel serving in headquarters overseas and in technical assistance positions in order to establish comparability of information for employment purposes. In addition, the United States should sponsor a coordinated policy for emoluments for all U.N. agency personnel, including the International Monetary Fund and the World Bank.

7. In order to perform the job of staffing international organizations more expeditiously, the United States needs regular and nearly uniform information on the vacancy situation. The obtaining of vacancy information should be incorporated in the reporting instructions to be issued to U.S. missions to international agency headquarters.

8. It is recommended that a current directory of U.S. personnel serving in international organizations be maintained by the International Recruitment Service in the Department of State. The maintenance of such a directory will serve a variety of useful purposes.

9. In its general recruitment procedure the U.S. Government should pay particular attention to the recruitment of junior officers to the extent that career opportunities for them in international service are known to exist.

10. It is recommended that amendment to Public Law 85-795 be sought to permit secondment of Foreign Service officers to international organizations when appropriate, and that the necessary administrative steps be taken to facilitate assignments.

11. The United States should adopt a program of orientation for U.S. personnel selected for service in international organizations. This program should deal with the importance which the United States attaches to their assignments and with the favorable influence which effective international service can have on the U.S. posture in the international scene.

12. It is both desirable and proper that U.S. missions overseas and in New York accord appropriate recognition to American nationals who are contributing to international amity through service in international organizations.

13. There is need for all U.S. agencies concerned with the activities of international organizations to contribute to the identification of major posts. Those are not necessarily the highest ranking positions but include those posts which are concerned with the development of policy and program, which require superior technical capacity and initiative, and which require ability to contribute to the solution of complex problems of general administration. A special responsibility devolves upon U.S. missions to headquarters of the U.N. agencies to give this advice on a continuing basis.

14. It is recommended that the Department revise standing instructions to missions to international organizations to include an assignment of responsibility in the area of staffing and personnel administration and to provide that the responsibility be placed with a single top level officer in the mission. In connection with this role, the U.S. mission should be given the responsibility for identifying well-qualified foreign nationals for service in international organizations.

15. Appropriate efforts should be made from time to time to inform the American public of the importance the U.S. Government attaches to service in international organizations.

A REPORT OF THE ADVISORY COMMITTEE ON MANAGEMENT IMPROVEMENT TO THE ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS, MARCH 1963

FOREWORD

In his report of June 25, 1962, to the 87th Congress on U.S. contributions to international organizations, estimated at about \$312 million for the 1962 fiscal year, the Acting Secretary of State pointed out that:

"The United Nations and the other organizations and programs to which the United States contributes carry out activities which support one or both of the basic aims of U.S. foreign policy: First, the promotion of peace and security; second, the promotion of economic and social growth, which may well be one of the best ways to achieve peace and security in the long run.

"The concept of multilateral cooperation and action has been actively supported by the United States as one of several means of achieving a better world in which to live. These international organizations, most of which were established after World War II, are emerging from their infancy and are gradually gaining the capability to handle international tasks of greater dimensions. Their capacity to act benefits both the United States and the rest of the world."

It is against this background of the traditional and whole-hearted U.S. support of international organizations and of the potentiality of these organizations that the Advisory Committee on Management Improvement makes this report on staffing.

As the responsibilities of the international organizations increase in quantity, complexity, and significance, the greater becomes the need for an active concern about improving the human resources which the organizations require to carry out their tasks. How can the best qualified and best trained persons be obtained? How can the most effective personnel management be accomplished? Such a concern, motivated by a genuine desire for effective multilateral machinery, must be worldwide, and those member states which are committed in fact to making it possible for international organizations to meet the challenge they face, should lead the way. The Advisory Committee, therefore, believes that the United States must extend its historic policy of political and financial support to include support for improving the quality and management of the staffs of international organizations. It believes, also, that this country can and should do more to discharge its own responsibility to make

available highly qualified candidates as they may be required and to encourage specific improvements in personnel administration. The following report is directed toward these ends.

Harding F. Bancroft, Karney Brasfield, Andrew Cordier, Lawrence S. Finkelstein, Ernest A. Gross, Arthur Larson, Sol M. Linowitz, Joseph Pels, Marshall D. Shulman, Francis O. Wilcox, John W. Macy, Jr., Robert Amory.

STAFFING INTERNATIONAL ORGANIZATIONS

6. GOVERNMENT CLEARANCE OF CANDIDATES FOR INTERNATIONAL ORGANIZATION EMPLOYMENT

Under Executive orders a loyalty clearance on the basis of a full field investigation is required for all U.S. citizens considered for employment by international organizations. Investigations are made by the Civil Service Commission with referral to the FBI when loyalty information is uncovered. Findings are reviewed by a loyalty board in the Commission and advisory opinions are furnished the international organizations through the State Department. Started in 1953 the program has cost \$5.2 million. It has resulted in the denial of employment to 5 persons and in the termination of 11 persons employed at the outset of the program because of adverse loyalty findings. In addition, suitability information secured during investigations which might affect employment is called to the attention of the organizations, although this is not provided for by the Executive order. The number of candidates not selected for suitability reasons is unknown.

The Committee has taken note of the fact that this domestic clearance requirement is operating to prevent the selection of well-qualified Americans for international organization posts. Time is the most important factor. Faced with a choice, for example, an international organization is likely to select an immediately available foreigner in preference to an American who perhaps will be given a clearance by his Government after an investigation of several months. Many Americans, moreover, cannot remain candidates for an indefinite period while the clearance process takes place. The Committee believes a screening program should be continued, but that it should be put on a par with that now in effect for Government employees. It must be recognized, moreover, that the sensitivity aspects of U.S. agencies are not present in the case of international organizations, that international organizations generally require a probationary period of service for extended appointments and that employment may be terminated for cause.

The Committee recommends that the Executive order be amended to require a national agency check only (not a full field investigation) for persons considered for non-professional employment, for the P-1 grade, and for persons at any grade being considered for employment for a period of 2 years or less.

There would be a full investigation for those in the professional categories above the P-1 level being considered for extended employment, but it could be made after employment. The record checks, however, would be completed before the persons were recommended for employment. No clearance procedure should be required in the case of a Federal Government employee who has been investigated and cleared and is in good standing in his agency.

The substantial savings that will result from these modifications of the clearance process should be used to permit advance national agency and reference checks of potential candidates.

The Committee also believes that it should be possible to use whatever Federal investigative agency can most expeditiously make a full field investigation at a particular time,

rather than relying solely on the Civil Service Commission, and that the method of funding should be changed so that the State Department obtains funds and reimburses the investigative agency.

EXHIBIT 3

TESTIMONY OF JOHN F. REILLY, APRIL 30, 1963, RELATING TO PROPOSALS OF HARDING BANCROFT, ET AL., TO REDUCE SECURITY REQUIREMENTS FOR U.S. CITIZENS EMPLOYED AT U.N.

Mr. SOURWINE. Are you familiar with the demand for elimination of the United Nations clearance procedure that was made by Leonard Boudin in his capacity as counsel for the Emergency Civil Liberties Committee?

Mr. REILLY. I have seen the—I believe there was a letter to the New York Times.

Mr. SOURWINE. Yes.

Mr. REILLY. Yes, I have seen this letter.

Mr. SOURWINE. Mr. Chairman, I do not have that letter with me but may I ask that a copy of it go in the record at this point?

Senator Dobb. Yes, without objection, so ordered.

(The letter referred to follows:)

"[From the New York Times, July 30, 1962, p. 22]

"SCREENING U.N. EMPLOYEES

"McCarran committee's authority over Americans challenged

"To the EDITOR OF THE NEW YORK TIMES: "In an otherwise excellent story published July 15, 'U.N.'s Fiscal Plight,' Thomas J. Hamilton seriously errs in referring to '11 American members of the United Nations who had been dismissed on charges of disloyalty to the United States.'

"These staff officials, some of whom I represented as counsel had been dismissed as a result of U.S. governmental pressure when they declined, under the first and fifth amendments, to answer questions put by the McCarran Internal Security Subcommittee.

"Both the validity and propriety of the committee's authority were most doubtful in view of the independence of the International Secretariat and the total lack of legislative purpose. Nevertheless, yielding to manifest political discretion, the first Secretary General dismissed these staff officials and the second preferred to pay damages rather than comply with the U.N.'s administrative tribunal's decision that the staff had been unlawfully discharged.

"Loss of services.

"I write for two additional reasons:

"First, the public is not aware that the careers of many devoted and brilliant international civil servants were destroyed in the hysteria of the 1950's. The loss of their services was also a grievous blow to the United Nations.

"Second, your recent thoughtful editorial on Andrew Cordier's resignation should remind us that the U.S. Government is still enforcing President Truman's and President Eisenhower's Executive orders which screen, on political grounds, American employees of the United Nations and other international organizations.

"The expressed criteria include membership on the Attorney General's list; the sources include derogatory information in congressional committee files; the procedures are based upon undisclosed evidence.

"Such screening is inconsistent with the charter's principle in article 100 of the independence of the organization. An International Organizations' Employees Loyalty Board in our Civil Service Commission makes no sense. There is no security problem in employment by the United Nations. Hence, the Association of the Bar's Special Committee on the Federal Loyalty-Security Program recommended in its 1956 report that this Board and the program be terminated.

"The U.S. Government to its credit has sought in other respects to strengthen the United Nations. The present administration would now score a major achievement if it were to adopt, although belatedly, the committee's advice to eliminate its so-called loyalty program in the international field."

"LEONARD B. BOUDIN.

"New York, July 24, 1962."

Mr. SOURWINE. Do you know who drafted the draft report or how it came to be drafted, who had responsibility for its drafting, the February draft report, which was along the lines of Mr. Boudin's recommendation?

Mr. REILLY. No; I do not, sir. I have no knowledge on that!

Senator DODD. Off the record.

(Discussion off the record.)

Mr. SOURWINE. Did you recognize this recommendation of the report with respect to the elimination of the United Nations clearance procedure for American nationals, when you saw it in the report, as coinciding with the demands which had been made by Boudin?

Mr. REILLY. That was one of the things Mr. Otepka brought to my attention.

Mr. SOURWINE. Oh, you had not seen the Boudin article before that time?

Mr. REILLY. No, I had not, I was not—we were not at that time—I was not personally involved in the International Organizations' Employees Loyalty Board, since that is outside the Department of State.

Senator DODD. Did I understand that you did not know anything about Boudin? Did Otepka call his name to your attention?

Mr. REILLY. Oh, I had known about Boudin—

Senator DODD. You have known about him before?

Mr. REILLY. For a long period of time; yes, sir.

Senator DODD. And you had read the draft of the report before Otepka called your attention to the Boudin recommendation?

Mr. REILLY. Yes; I read the draft report before I handed it to Mr. Otepka; yes, sir.

Senator DODD. My point is, did you notice it yourself or didn't you notice it until Otepka called it to your attention?

Mr. REILLY. Well, I was not familiar with the position taken by Mr. Boudin in the New York Times letter until Mr. Otepka brought that article to my attention.

EXHIBIT 4

TESTIMONY OF OTTO OTEPKA WITH REGARD TO MISSTATEMENTS OF JOHN F. REILLY CONCERNING OTEPKA'S HANDLING OF CASES OF HARDING BANCROFT, ET AL.

TESTIMONY OF OTTO P. OTEPKA, CHIEF DIVISION OF EVALUATIONS, OFFICE OF SECRETARY, DEPARTMENT OF STATE, MONDAY, AUGUST 12, 1963

Senator Hugh Scott presiding.

Also present: J. G. Sourwine, chief counsel, and Frank W. Schroeder, chief investigator. (Mr. Otepka was previously sworn.)

Mr. SOURWINE. Mr. Otepka, are you aware that Mr. John Reilly, in his testimony before this committee, controverted many statements previously made by you when you testified?

Mr. OTEPKA. Yes; I was given to understand that he did.

Mr. SOURWINE. Did you have an opportunity to examine Mr. Reilly's testimony, the transcript of his testimony?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. Did I furnish you with a copy of this testimony and ask you to prepare a memorandum of reply covering point by point all of those instances in which you felt Mr. Reilly's testimony was inaccurate or untrue?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. Did you prepare such a memorandum?

Mr. OTEPKA. I did, sir.

Mr. SOURWINE. You prepared it yourself?

Mr. OTEPKA. Yes, sir; I did.

Mr. SOURWINE. Is this it?

Mr. OTEPKA. That is the memorandum I prepared.

Mr. SOURWINE. That memorandum is accompanied by certain exhibits, Nos. 1 through 13?

Mr. OTEPKA. Yes, sir; which were intended to be used by me.

Mr. SOURWINE. The exhibits were furnished by you in connection with the memorandum for the records of this committee?

Mr. OTEPKA. The exhibits were intended to be used to refresh my recollection in connection with my forthcoming testimony before this committee of which I have previously been apprised.

Mr. SOURWINE. Mr. Otepka, are any of these exhibits classified?

Mr. OTEPKA. There is one exhibit which is—which bears a classification, but the classification was assigned to it only because it was—there was an accompanying document that was classified. However, that particular exhibit which I have there does not have the classified memorandum.

Mr. SOURWINE. Are you referring specifically to the exhibit No. I-1 which deals—which consists of a memorandum to Mr. Reilly from you respecting emergency clearance of eight named individuals?

Mr. OTEPKA. Could you give me the date of that memorandum, sir?

Mr. SOURWINE. This one?

Mr. OTEPKA. Yes, sir.

Mr. SOURWINE. And you say that, although this memorandum has what appears to be a "secret" classification, it also has a marking that upon removal of the attachments it will be considered "confidential" only.

Mr. OTEPKA. The marking on that document was placed there by me as a classifying officer. I am authorized to classify documents.

Mr. SOURWINE. Did you classify this document initially as "secret" with the attachments on it?

Mr. OTEPKA. That document is "secret" only with the attachments.

Mr. SOURWINE. But this was your classification?

Mr. OTEPKA. That was my classification.

Mr. SOURWINE. And with the attachments off it was no longer "secret"?

Mr. OTEPKA. That is correct.

Mr. SOURWINE. And you did not supply the attachments to the committee?

Mr. OTEPKA. No, sir.

Mr. SOURWINE. There is no reason why, then, all these exhibits should not go in our record along with this memorandum, is there?

Mr. OTEPKA. Based on my knowledge of the contradictions of Mr. Reilly in his testimony, I feel that I am entitled to submit that material for the record.

Mr. SOURWINE. Mr. Chairman, I ask that all of this material may be ordered into the record at this point.

Senator Scott. Without objection it may be so received.

Mr. SOURWINE. And I ask permission to retain it temporarily in the counsel's files, because I propose to ask questions about some of the points that are raised there.

Senator Scott. Very well.

COMMENTS REGARDING TESTIMONY OF JOHN REILLY ON MAY 21, 22, AND 23, 1963

TESTIMONY OF MAY 21, 1963

Pages* 584-585 pencil mark 1 (ending with line 13)

Otepka received from Reilly a note dated February 4, 1963, with enclosure consisting only of a copy of a memorandum dated Janu-

ary 27, 1963, from IO² Harlan Cleveland addressed to OIA³ Mr. Heffner. Reilly's note to Otepka included no report of the Advisory Committee on International Organization Staffing. Since Otepka realized immediately that he did not have all the facts available on which he could prepare an intelligent appraisal of the proposal in the Cleveland memorandum of January 27, 1963, Otepka called Paul Byrnes in IO and asked him what additional information was available. Byrnes advised Otepka that a report was being drafted on which he, Byrnes, had already prepared comments. Otepka asked for and received from Byrnes the latter's own comments which, in general, coincided with Otepka's initial views. Otepka's views were based then only on the meager data available. Otepka sent a note February 8, 1963, to Reilly and advised Reilly orally that SY¹ should oppose any attempt to eliminate full field investigation of UN personnel. Reilly did not, on this occasion nor thereafter, indicate to Otepka that he had known of or received a copy of the February 19, 1963, report of the Advisory Committee. The fact is that Otepka himself, after his discussion of February 8, 1963, with Reilly, obtained copies of the February 19, 1963, report from Byrnes. Otepka sent a copy of the February 19, 1963, report to Reilly under cover of Otepka's written comments prepared on March 18, 1963, for Reilly's signature.⁴

On several occasions after March 18, 1963, Otepka inquired orally of Reilly as to whether Reilly had had an opportunity to examine these comments and whether he would approve them. On such occasions Reilly gave Otepka the same answer: that he had not had the opportunity to review Otepka's draft comments. To this date, Reilly has not indicated to Otepka his approval or disapproval of Otepka's draft of March 18, 1963.

On May 14, 1963, Otepka answered Belisle's note of May 13, 1963, whereby Belisle had attached a new report of the Advisory Committee (copies of pertinent correspondence are attached and are self-explanatory⁵).

The statement by Reilly (page 585) that the February 19, 1963, report came down to him from Orrick's office apparently is not true.

Questions for Reilly

When did he receive the report of February 19, 1963, from Orrick's office? Did he see it before Otepka sent it to him on March 18, 1963? Why did he not say he got it from Otepka, who had not obtained it from Orrick's office but was furnished it directly by a member of Cleveland's staff?

(Page 585—pencil mark 2, see also pencil mark 3, page 586 which is a contradictory statement by Reilly)

Reilly's statement (2) is not correct. The consultants were granted a clearance for access to classified data by Otepka. This clearance was limited only to each specific meeting of the Committee. The clearances were renewed upon requests made by IO for every successive meeting of the Committee. The clearances were predicated upon the express written statement of IO that the Committee members would see only a limited number of documents as necessary for the meeting attended. Also IO specifically advised SY that the information would be carefully controlled and the consultants were not in any sense employees of the Federal Government. They were merely contributing their special talents and their time without compensation on an ad hoc basis to study international organization staffing problems. Their clearances in his [this] sense would not extend beyond the stated purposes of the meeting. IO was informed they would be given regular clearances permitting them more levity (sic) only after they had been fully investigated, fingerprinted and had completed all required processing forms. None of the con-

sultants was given building passes until after they had been fully cleared.

Page 588-587—pencil mark 4 and 5

Reilly's statement is not true. Otepka furnished Reilly with a comprehensive sketch of the derogatory background data at the very outset of the initial request received from IO. Moreover, Otepka prepared a memorandum addressed to the Executive Director, IO, in which Otepka detailed both the procedural problems involved as well as the substantive questions. Belisle returned the memorandum to Otepka with a terse note saying Otepka's draft was verbose and that Otepka used "a hell of a lot of words." Belisle eliminated that part of Otepka's memorandum containing statements about the background of the individuals, and prepared his own memorandum to IO about the procedural problem, showing only himself (Belisle) as the drafting officer but using Otepka's almost identical words.¹

Further, on the above point, after the full field investigations had been completed for the purpose of formally appointing the individuals to the employment rolls and determining at the same time if their clearance for access to classified data could be extended, Otepka forwarded to Reilly before the clearance notifications were sent to the Employment Division the cases of Ernest Gross, Harding Bancroft and Andrew Cordier. In the case of Gross, Otepka said he would not object on security grounds to Gross' employment by the Department but he (Otepka) felt the contents of the investigative reports should be examined by the Employment Division under suitability standards. Reilly approved the security clearance but declined to send the reports to the Employment Division. In the case of Bancroft, Otepka wrote a memorandum to Reilly expressing Otepka's concern about the fact that Loy Henderson had described Bancroft as pro-Soviet and also Otepka's concern that Bancroft long defended Alger Hiss and Bancroft relented (but not fully) only after Hiss had been sent to jail. Otepka indicated that he was clearing Bancroft with reservations, saying that the clearance was being granted based on Otepka's understanding from IO that these consultants dealt only with a limited number of classified documents which were described to Otepka as having no significant impact on the national security.

EXHIBIT 5

STATEMENT OF OTTO OTEPKA TO FBI DURING INTERROGATION ORDERED BY STATE DEPARTMENT, WITH EXCERPTS FROM DESCRIPTION OF DOCUMENTS FURNISHED TO SENATE INTERNAL SECURITY SUBCOMMITTEE

WASHINGTON, D.C., August 15, 1963.

I, Otto F. Otepka, make the following voluntary statement to Carl E. Graham and Robert C. Byrnes, who have identified themselves as Special Agents of the Federal Bureau of Investigation. No threats or promises of any kind have been made to me to make this statement and I know it can be used against me in a court of law. I have been advised of my right to have legal counsel before making any statement whatsoever.

Mr. Byrnes informed me in general that the FBI was conducting an investigation with respect to myself concerning an allegation that had been received that I had furnished classified information to an unauthorized person. In the course of our discussion it was made known to me specifically that the alleged unauthorized person was the Chief Counsel of the United States Senate Committee on the Judiciary. His name is Julien G. Sourwine. I shall hereinafter for the purposes of this inquiry identify such documents which were furnished by me to the Chief Counsel of this Committee. It is important to me at the outset that it be known

for the record that I am a member of the classified or competitive Civil Service and that I am now and have been a career member of that service for over 27 years.

The circumstances in regard to which I am alleged to have furnished documents or information to the said Chief Counsel relate to an investigation which was being conducted by the Internal Security Subcommittee of the Committee of the Judiciary beginning in November, 1961. I first appeared before that Committee at its request and with the express permission of the Department of State together with two other members of the Bureau of Security and Consular Affairs, and I responded to the questions of its Chief Counsel frankly and truthfully to the best of my knowledge and ability. Subsequently I reappeared before that Subcommittee once in April, 1962, also at the Committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In November, 1962, the Committee publicly released the transcripts of my testimony and that of other Department of State personnel together with a report of the Committee containing the Committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in March 1963, and during April 1963, I appeared before the same subcommittee in accordance with its request and with the knowledge of my superiors, for a total of four times. I was given to understand that the Committee was seeking to ascertain from the Department of State whether or not the Department of State had implemented the Committee's recommendations to improve certain security practices found by the Committee to be deficient. During May, 1963, my immediate superior, Mr. John F. Reilly, also testified before the Committee on three separate days. Prior to his appearances and at his own personal request I obtained from the Chief Counsel of the Committee, Mr. Sourwine, the stenographic transcripts of my testimony of March and April, 1963, and furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why.

Following the first appearance of Mr. Reilly, which I believe was on May 21, Mr. Reilly personally came to my office and informed me that Senator Thomas J. Dodd, the presiding chairman of the Subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the Subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. Dodd on this matter. I said I did not know Mr. Dodd but were I to be again questioned by the Subcommittee I would be very happy to state for the record what had transpired between myself and Mr. Reilly when on a prior occasion he discussed with me at his request my future role in the re-evaluation of the Wieland case. I prepared for the record and have in my possession a memorandum indicating the exact nature of my discussions with Mr. Reilly on any prior occasion concerning what function I should play as Chief of the Division of Evaluations in the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. Julien Sourwine, the Chief Counsel of the Subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23. Mr. Sourwine voluntarily informed me that there were contradictions in my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and upon doing so he said I should give him a memorandum that would answer point by point all of the

instances in which I felt Mr. Reilly's testimony was inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits which I shall identify below, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly in my future appearance before the Committee which had already been made known to me.

At this point I would like to state for the record that what particularly concerned me in regard to Mr. Reilly's testimony was that he made statements to the Subcommittee concerning my personal character and performance. As a knowledgeable and experienced career civil servant, I know that one's superior owes one primary duty especially to his subordinate. That is: if the subordinate's performance is or has been deficient that subordinate should first be so told by the superior. The superior should not derogate the employee's performance before a legislative body or any organization outside the employee's place of employment without fulfilling his first duty to his subordinate. Mr. Reilly never expressed to me his dissatisfaction with my performance nor did he ever let me know that he had anything but a favorable opinion concerning my character. However, neither Mr. Reilly nor his predecessor has given me an annual efficiency report as required by the Department's regulations since October, 1960, almost three years. Not only did I request such efficiency reports from Mr. Reilly but I succinctly informed his Executive Officer on several occasions that these reports were long overdue. Mr. Reilly, of course, is entitled to his explanations for this delinquency. The fact is I still do not have any efficiency reports for those three years. Furthermore, I wish this record to bear out that my whole history of performance in the Department of State reflects not only the most satisfactory comment by those officers who have rated me but that prior to my entering on duty in the Department of State in June, 1953, I was the recipient for six successive years preceding my appointment to the Department of State of "Excellent" efficiency ratings. Such an adjective rating was the highest attainable.

In considering the request made to me by Mr. Sourwine to identify inaccuracies or untrue statements by Mr. Reilly, I was already cognizant of the following provision in Section 652, Title 5, of the United States Code. This is a law enacted by the United States Congress. It reads as follows:

"The right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress or any member thereof or to furnish information to either house of Congress or to any Committee or member thereof shall not be denied or interfered with."

It was my honest belief and conviction in the light of contradictions in the record of the Senate Internal Security Subcommittee that I should support my refutation of Mr. Reilly's statements concerning me with such necessary information as would establish that my own statements were truthful and accurate. I carefully observed in the transcript of Mr. Reilly's testimony that he had entered selected documents into the record relating to me.

The documents herein involved which were furnished by me to the Chief Counsel of the Senate Committee on the Judiciary as an appendage to my prepared written comments are as follows:

EXHIBIT 1

(1) This included a memorandum dated January 27, 1963, for Mr. Hefner, OIA, from

¹Footnotes at end of article.

Harland Cleveland, IO, on the subject of "Loyalty Investigations of United States Citizens Employed by International Organizations."

(2) Routing slip dated February 4, 1963, of Department of State to Mr. Otepka from Mr. John F. Reilly on the subject of "Loyalty Investigations of United States Citizens Employed by International Organizations" with the notation "Would you look into this please and may I have your views by Feb. 8?"

(3) One page memorandum to Mr. Reilly from Mr. Otepka dated February 8, 1963.

EXHIBIT 2

(1) Thirty-two page document entitled "Staffing International Organizations, A Report of the Advisory Committee on Management Improvement to the Assistant Secretary of State for International Organization Affairs" dated March, 1963. A three page cover memorandum to this document is also attached and which bears the title of "Staffing International Organizations, Summary of Recommendations."

(2) Five page memorandum dated September 10, 1962, from Mr. Otepka to Mr. Reilly on the subject of "Francis O. Wilcox; Arthur Larson; Lawrence Finkelstein; Marshall D. Shulman; Andrew Cordier; Ernest Gross; Harding Bancroft; Sol Linowitz." This document bears a classification of "Secret" but with a stamped notation at the bottom stating that the document would be considered "Confidential" upon removal of attachment. At the conclusion of the fifth page there is a notation that the attachments were "tabs A, B, C and D." These attachments were not furnished to Sourwine. Attached to this document at the conclusion is a one page memorandum dated September 17, 1962, from Mr. Reilly to Mr. Czado on the subject "Processing of Appointments of Members of the Advisory Committee on International Organization Staffing" classified "Confidential."

EXHIBIT 3

(1) Thirty-six page document entitled "Staffing International Organizations, A Report of the Advisory Committee on International Organizations", published by the Department of State, Washington, D.C., April 23, 1963 (a public document). Attached to this document are Appendices I and II consisting of six pages.

(2) Routing slip from Mr. Belisle to Otepka dated May 13, 1963. Attached to this routing slip is a one page memorandum dated May 6, 1963, to Mr. Reilly from Gladys P. Rogers on the subject "Staffing International Organizations—A Report of the Advisory Committee on International Organizations."

(3) Undated routing slip from Belisle to Otepka. Attached to this routing slip is a three page memorandum from Mr. John F. Reilly to Mr. George M. Czado on the subject "Processing of Appointments of Members of Advisory Committee on International Organization Staffing." This three page memorandum bears a stamped security classification of "Confidential."

(4) One page memorandum dated August 7, 1962, to Mr. Simpson, EMD, to attention of Mrs. Solvig with copy for Mr. Otepka, captioned "Request for Waiver, Advisory Committee on International Staffing: Ernest A. Gross, Marshall D. Shulman, Andrew W. Cordier, Harding Bancroft, Lawrence Finkelstein, Francis O. Wilcox, Arthur Larson". This was a nonclassified memorandum with two attached routing slips; one dated September 13, 1962, from Otepka to Mr. Belisle and to Mr. Reilly. The other routing slip was from Belisle to Otepka, addressed to "Otto", dated September 11, 1962.

(5) One page memorandum dated May 14, 1963, to Mr. Belisle from Mr. Otepka. The memorandum indicates there is an attachment of "Report of the Advisory Committee on International Organizations."

EXHIBIT 6

EXCERPT FROM NOTICE OF PROPOSED ADVERSE ACTION SENT TO OTTO OTEPKA BY STATE DEPARTMENT, INCLUDING CHARGES THAT HE HAD TRANSMITTED INFORMATION CONCERNING HARDING BANCROFT, ET AL., TO SENATE INTERNAL SECURITY SUBCOMMITTEE

DEPARTMENT OF STATE,

Washington, September 23, 1963.

Mr. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR Mr. OTEPKA: This is a notice of proposed adverse action in accordance with the regulations of the Civil Service Commission.

You are hereby notified that it is proposed to remove you from your appointment with the Department of State, as Supervisory Personnel Security Specialist, GS-15, in the Office of the Deputy Assistant Secretary for Security, thirty (30) days from the date of this letter.

On August 16, 1963, at Washington, D.C., you executed a voluntary sworn statement, dated August 15, 1963, before Carl E. Graham and Robert C. Byrnes, Special Agents of the Federal Bureau of Investigation. A copy of this statement is attached as Exhibit A. Information contained therein will be referred to specifically in some of the charges listed below.

Furthermore, during the period March 13, 1963, to June 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, caused the following procedures to be instituted:

(a) Mrs. Joyce M. Schmelzer, Secretary to Mr. Frederick W. Traband, Supervisory Personnel Security Specialist, periodically observed your classified trash bag (hereinafter referred to as "burn bag") which was in the possession of your secretary, Mrs. Eunice Powers. Mrs. Schmelzer and Mrs. Powers were located in the same room and across from one another.

(b) When Mrs. Schmelzer saw that your burn bag was full, she would ask Mrs. Powers if she wanted her (Mrs. Schmelzer) to take your burn bag to a Department Mail Room with Mr. Traband's.

(c) When Mrs. Powers accepted Mrs. Schmelzer's offer, Mrs. Schmelzer would inform Mr. Traband of this fact. Mr. Traband would then call Mr. Rosetti, Supervisory Security Specialist, or Mr. Shea, Supervisory General Investigator, if Mr. Rosetti was not available, and inform him that your burn bag was being delivered to the Mail Room.

(d) While carrying your burn bag and Mr. Traband's to the Mail Room, Mrs. Schmelzer would mark your burn bag with a red "X" (with a crayon or pencil mark) and deposit both burn bags in the Mail Room, Room 3437.

(e) Mr. Rosetti or Mr. Shea, and on one occasion Mr. Robert McCarthy, Supervisory Security Specialist, would obtain your burn bag from the Mail Room within five to ten minutes after Mrs. Schmelzer left it there and would turn it over to Mr. Reilly or Mr. Belisle (Special Assistant to the Deputy Assistant Secretary for Security), in their office, Room 3811. (On one occasion when Mrs. Powers herself took your burn bag to the Mail Room, Messrs. Rosetti and Shea picked it up from the Mail Room immediately after Mrs. Powers deposited it there.) Your burn bag was then transferred to Mr. Reilly's brief case.

(f) Mr. Reilly's brief case was then taken by Mr. Shea to Room 1410, 2612A or 3811 for examination of its contents. Your burn bag was inspected by Mr. Shea either alone or with Mr. Belisle and/or Mr. Rosetti.

(g) The contents of your burn bags were carefully examined. All carbon paper or copies were read by turning the carbon side toward the light thus allowing the paper to be read from the back. Torn pieces of paper were grouped together and then pieced together to

make readable documents. One-time type-writer ribbons were also read on occasion.

During the course of inspecting the contents of your burn bag on May 29, 1963, a type-writer ribbon was retrieved. This ribbon had been read and the contents are reproduced as Exhibit B. Information contained therein will be referred to specifically in some of the charges listed below.

(1) You have conducted yourself in a manner unbecoming an officer of the Department of State.

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organization Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

"* * * all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, Assistant Secretary of State, to Senator Eastland, Chairman of the Senate Committee on the Judiciary, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as Exhibit C.

In your sworn statement, referred to above and enclosed as Exhibit A, you stated on pages 7 and 8 that you gave a copy of a classified memorandum entitled "Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz", to Mr. J. G. Sourwine, Chief Counsel, United States Senate Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. This memorandum concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential Directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

(2) You have conducted yourself in a manner unbecoming an officer of the Department of State.

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

"* * * all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator Eastland, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as Exhibit C.

In your sworn statement, referred to above and enclosed as Exhibit A, you stated on page 9 that you gave a copy of a classified memorandum entitled "Processing of Appointments of Members of the Advisory Committee on International Organizations Staffing" to Mr. J. G. Sourwine. This memo-

random concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential Directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

EXHIBIT 7

EXCERPTS FROM RESPONSE OF OTTO OTEPKA TO CHARGES OF STATE DEPARTMENT THAT HIS CONDUCT WAS UNBECOMING OF A STATE DEPARTMENT OFFICER

(EDITOR'S NOTE.—Mr. Otepka's answer to the charges preferred by the Department was ordered into the record at this point and reads as follows:)

WHEATON, Mo., October 14, 1963.

HON. JOHN ORDWAY,
Chief, Personnel Operations Division,
Department of State,
Washington, D.C.

DEAR MR. ORDWAY: This is my answer to the charges preferred against me by your letter of September 23, 1963.

CHARGE 1 AND CHARGE 2

Before turning to the specific charges, a general statement of the background of this entire matter is in order.

I have been an employee of the U.S. Government for 27 years. From 1938 until 1942 I occupied minor positions in the Farm Credit Administration and the Bureau of Internal Revenue, and for 3 years during that period attended law school. In 1942 I was appointed an investigator and security officer with the U.S. Civil Service Commission. I served in that capacity until 1943, when I entered the U.S. Navy as an apprentice seaman. I served in the Navy from 1943 until 1946, being discharged with the grade of petty officer first class. Returning to the Civil Service Commission in 1946, I served there as an investigator and security officer until 1953 when I came to the Department of State as a security officer. I have been with the Department ever since 1953.

My efficiency ratings at the Civil Service Commission for the years 1948-53 were all "excellent," the highest ratings attainable under the system then in effect. During my service in the Department of State, all of my efficiency reports have been highly favorable. For example, for the year 1959-60, when I served as Deputy Director of the Office of Security, my efficiency report contained the following comment by the Director of that office, Mr. Boswell:

"He has had long experience with and has acquired an extremely broad knowledge of laws, regulations, rules, criteria, and procedures in the field of personnel security. He is knowledgeable of communism and of its subversive efforts in the United States. To this, he adds perspective, balance, and good judgment, presenting his recommendations and decisions in clear, well reasoned, and meticulously drafted documents. He has brought these attributes to bear during periods totaling almost 4 months when he has been Acting Director in my absence and throughout the rating period as the State Department representative on an intragovernmental committee concerned with security matters."

In April 1958 I received a Meritorious Service Award signed by Secretary of State John Foster Dulles for sustained meritorious accomplishment in the discharge of my assigned duties. The justification for this award included the following statement: "He has shown himself consistently to be capable of sound independent judgment, creative work, and the acceptance of unusual responsibility."

It may be noted that I have received no efficiency report since September 1960, although the regulations require that each employee receive such a report annually, and I have on several occasions requested my superiors to give me my efficiency reports.

However, until recently none of my superiors ever complained to me about my performance of duty.

Beginning in November 1961 an investigation into certain security practices of the Department of State was conducted by the Internal Security Subcommittee of the Committee on the Judiciary of the U.S. Senate. I first appeared before that committee at its request and with the express permission of the Department of State, together with two other members of the Bureau of Security and Consular Affairs. I responded to the questions of Mr. J. G. Sourwine, the subcommittee's chief counsel, frankly and truthfully to the best of my knowledge and ability. Subsequently, in April 1962 I reappeared before the subcommittee also at the committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In October 1962 the committee publicly released the transcripts of my testimony and that of other Department of State personnel, together with a report of the committee containing the committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in February 1963, and during March 1963, I appeared on four occasions before the same subcommittee in accordance with its request and with the knowledge of my superiors. I was given to understand that the committee was seeking to ascertain from the Department of State whether or not the Department had implemented the committee's recommendations to improve certain security practices found by the committee to be deficient. During April and May 1963 my immediate superior, Mr. John F. Reilly, testified before the committee on five occasions. Prior to his first appearance, and at his request, I obtained from Mr. Sourwine the stenographic transcripts of my testimony of February and March 1963 and I furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why, as the transcripts had been available to him through regular Department channels.

Following the appearance of Mr. Reilly, he came to my office and informed me that Senator Thomas J. Dodd, the presiding chairman of the subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. Dodd on this matter. I said I did not know Mr. Dodd but were I to be again questioned by the subcommittee I would be very happy to state for the record what had transpired between me and Mr. Reilly when on a prior occasion he discussed with me, at his request, my future role in the reevaluation of the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. J. G. Sourwine, the chief counsel of the subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23, 1963. Mr. Sourwine voluntarily informed me that there were conflicts between my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and said that when I had done so, I should give him a memorandum that would answer point by point all of those portions of Mr. Reilly's testimony which conflicted with my testimony or which I found inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits, and I furnished a copy of this memorandum to Mr. Sourwine together with

copies of the exhibits mentioned therein. This memorandum was furnished to Mr. Sourwine as the chief counsel, and authorized representatives of the subcommittee. It was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly, in any future appearance I made before the committee. I was told that I would be recalled to testify again before the committee.

I was especially disturbed by two statements made by Mr. Reilly in his testimony which was shown to me by Mr. Sourwine. First, Mr. Reilly testified, concerning eight prospective appointees to the Advisory Committee on International Organizations, that there were no substantial derogatory information respecting any of the prospective appointees, and that the case of only one of them had even been brought to his attention prior to their appointment. This testimony I knew to be incorrect, for on September 10, 1962, before the appointments were made I had submitted to him a memorandum with respect to each of the individuals in question. This memorandum strongly recommended that certain of the prospective appointees not be cleared without further investigation. On September 17, 1962, Mr. Reilly, himself directed a memorandum to Mr. George M. Czaio in the office of Mr. Harlan Cleveland with respect to these cases, and this document reflected that Mr. Reilly was familiar with my memorandum of September 10.

I gave to Mr. Sourwine a copy of my memorandum of September 10, 1962 and a copy of Mr. Reilly's memorandum of September 17, 1962. While these documents were classified "Confidential"—the one of September 10 having been classified by me—they contained no investigative data. The only substantive data contained in my memorandum of September 10 consisted of references to certain matters which had been mentioned in published reports or hearings of the Senate Internal Security Subcommittee or which were otherwise in the public domain. The Reilly memorandum of September 17 contained no substantive data whatever with respect to the prospective appointees, but related for the most part to the procedural steps involved in their clearance.

Charge 1 in your letter is based upon my action in giving a copy of my memorandum of September 10, 1962, to Mr. Sourwine. Charge 2 relates to my action in giving Mr. Sourwine a copy of Mr. Reilly's memorandum of September 17, 1962. You allege that my actions were in violation of the Presidential directive of March 13, 1948 (12 Fed. Reg. 1359) which forbids the disclosure, except as required in the efficient conduct of business, of "reports, records, and files relative to the loyalty of employees or prospective employees."

It is a familiar rule that regulations, like statutes, must be interpreted with common sense, that a thing may be within the letter of a regulation and yet not within the regulation, because not within its spirit, nor within the intention of its makers. This has been the law for centuries. Poffendorf mentions the judgment that the Bolognian law which enacted "that whoever drew blood in the streets should be punished with the utmost severity," did not extend to the surgeon who opened the vein of a person that fell down in a street in a fit. Plowden cites the ruling that the statute of 1st Edward II, which enacts "that a prisoner who breaks prison shall be guilty of a felony," does not extend to a prisoner who breaks out of prison when the prison is on fire "for he is not to be hanged because he would not stay to be burnt." See *Church of the Holy Trinity v. United States* (143 U.S. 457).

Applying this doctrine to the present case, and assuming without conceding that the memoranda of September 10 and September 17, 1962, fell within the letter of the

Presidential directive of March 13, 1948, submit that those memorandums were not within the spirit of the directive, nor within the intention of its author. As President Truman stated in his letter to the Secretary of State, dated April 2, 1952, the purpose of the directive was "to preserve the confidential character and sources of information, to protect Government personnel against the dissemination of unfounded or disproved allegations, and to insure the fair and just disposition of loyalty cases." The memorandums of September 10 and September 17, 1962, referred to no confidential information, disclosed no confidential sources, and made no allegations. My memorandum of September 10, 1962, merely referred to matters of public record and recommended that these matters should be investigated. There was no loyalty case, pending, or contemplated, involving any of the individuals mentioned. In short, in the context of the Presidential directive of March 13, 1948, the two memorandums were completely innocuous and clearly not the kind of papers that the directive was designed to protect.

My interpretation of the Presidential directive of March 13, 1948, is apparently in harmony with the interpretation placed upon the directive by Secretary of State Rusk. Thus, the statement of Senator Thomas J. Dodd, appended to the report of the Senate Subcommittee on Internal Security in the matter of State Department security, published in 1962, contains the following:

"Subsequent to the preparation of this report, I had occasion to discuss the Wieland case with Secretary Rusk and to examine certain documents which he showed me in confidence.

"On the basis of these conversations, I am satisfied that, prior to September 15, 1961, Secretary of State Rusk had examined the material pertaining to the Wieland case in considerable detail, including reports of the Federal Bureau of Investigation * * * [Italic supplied.]

See Senate report, State Department security, the case of William Wieland, etc., 87th Congress 2d session—page 197. The intentment of Senator Dodd's statement is that Secretary Rusk disclosed to him documents from the security file of Mr. Wieland, in order to establish that the Secretary did examine this material prior to September 15, 1961. It seems obvious that, in the judgment of Secretary Rusk, a reasonable and commonsense interpretation of the Presidential directive did not prevent the disclosure of the security material to Senator Dodd. If it was proper for Secretary Rusk to show such material to a member of the Internal Security Subcommittee, then it was proper for me to disclose the innocuous memorandums of September 10 and September 17, 1962, to an authorized agent of that subcommittee in order that the committee might know the truth and to refute unwarranted and scandalous charges against me and my record.

Mr. Reilly's testimony that the cases of the prospective appointees had not been brought to his attention seriously disparaged my performance of duty and impugned my integrity. In other words, had I failed to bring such matters to his attention, I would have been guilty of a dereliction of duty. In this context, I submit that I had not only the right but the duty to defend myself, to correct the committee's record, and to support my oral testimony by the memorandums of September 10 and September 17, 1962.

The provisions of the United States Code, title 5, section 652(d) plainly gave me the right to respond to the request of the Senate committee and to answer Mr. Reilly's attacks upon me. That statute provides:

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any

committee or member thereof, shall not be denied or interfered with. As amended June 10, 1948, c. 447, 62 Stat. 354; 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067."

If the provisions of the directive are construed to prohibit the disclosure by me of the memorandums here involved, under the circumstances of this case, then I submit the directive is in violation of the statute.

It must be emphasized always that I gave the memorandums in question to Mr. Sourwine, not as an individual, but as the authorized agent of a committee of the U.S. Senate; and I gave them to him only to be used as exhibits in connection with my forthcoming testimony before that committee in executive session.

EXHIBIT 8

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, April 4.—A dramatic new chapter, with far-reaching implications for the future security of the U.S., is developing in the Otto Otepka case.

Opponents of the former Deputy Chief of Security at the State Department are preparing an all out campaign to block a Senate vote on his nomination to the Subversive Activities Control Board (SACB), an independent government security agency.

Otepka, after five years of persecution and vilification by the State Department, was nominated last month to the SACB by President Nixon.

The nomination, now pending before the Senate Judiciary Committee, was a partial victory for Otepka who had been stripped of security duties and demoted by Dean Rusk, former Secretary of State, for cooperating with a Senate Committee exposing security lapses in the State Department.

The nerve center for the new onslaught against Otepka, scheduled to begin after the Easter congressional recess, is the prestigious New York Times Washington Bureau.

Neil Sheehan, the newspaper's controversial Defense Department correspondent, has been given the assignment to write a series of articles designed to indirectly link the veteran security officer with right-wing groups—none of which Otepka had ever been a member or actively supported.

Significantly, Sheehan is the former bureau chief for the United Press International in Saigon who openly worked during the early '60s for the downfall of South Vietnam's anti-communist President Diem.

Pierre Salinger, press secretary for both Presidents Kennedy and Johnson, assailed Sheehan as one of a trio of American newsmen that "announced to one and all in Saigon that one of the aims of their stories... was to bring down the Diem government."

More recently in a panel discussion in New York on "The Peace in Asia," Sheehan presented the following view on communism:

"We might abandon the idea that communism is our enemy in Asia. We must be willing to tolerate their enmity. I am suggesting that in some countries a communist government may be the best government."

CASTING THE SHADOW

Insiders at the New York Times say Sheehan's anti-Otepka series was scheduled to begin earlier this week but the death of President Eisenhower and his state funeral temporarily delayed their appearance.

Several of the persons involved in the volunteer raising of funds for Otepka's costly and long-drawn out legal battle for vindication report that they have already been badgered by Sheehan about their political affiliations.

In one case, Sheehan spent more than 45 minutes on long distance phone grilling James Stewart, of Palatine, Ill., Director of American Defense Fund which raised money

for Otepka's legal defense, on whether he was ever a member of the John Birch Society.

When Stewart argued the question was irrelevant and offered to discuss the issues of the Otepka case with Sheehan, the correspondent changed the subject, asking for the names of all the contributors to Otepka's defense fund.

On being told that more than 4,000 persons had contributed, Sheehan said he wanted "only the names of the big contributors." This Stewart refused on the grounds he needed approval of the individuals to give out their names.

THE BOSTON RALLY

Sheehan also quizzed Stewart at length about his group's fund-raising stand for Otepka at the New England Rally for God, Family, and Country, held in Boston in July, 1968, and attended by more than 1,000 persons.

"I have reports that Otepka manned a fund-raising booth at the Boston rally and solicited funds for his case," stated Sheehan. "Is not this true?"

"No, and you know it," replied Stewart. "Otepka had nothing to do with that stand."

What Sheehan didn't mention to Stewart was that another New York Times reporter had turned in the same negative report earlier. After spotting Otepka and his wife among the spectators at the Boston meeting, the reporter kept a watch on Otepka only to learn that he had nothing to do with the fund-raising stand.

Other persons involved in the fund raising for Otepka's legal defense, which cost the veteran security officer nearly \$30,000, have also been intensely questioned by Sheehan.

Sheehan has been in contact with aides of several Senators, including William Proxmire (D., Wis.) and Jacob Javits (R., N.Y.), who plan to use his forthcoming stories to try to block Otepka's nomination.

Several State Department officials, who helped influence Secretary of State William Rogers to bar Otepka's return to that Agency, also have been in contact with Sheehan.

THE BIGGER ISSUE

While Otepka will be the central target of the coming attack, many congressional security experts see the campaign as having a much broader objective.

One memorandum being circulated among these experts, warns:

"The coming campaign against Otepka is designed to prevent, by smear and attack, efforts to strengthen the Subversive Activities Control Board, through the appointment to it of strong, conscientious securities specialists, and so bring about its destruction."

"The campaign will follow the pattern of the highly successful one by which the Eisenhower-Nixon program to train Americans in red tactics through civilian-military seminars was destroyed, through using General Walker as the target."

"Now, Otto Otepka is the target, and the objective is the nipping in the bud of the restoration of a strong security staff and operation within the government."

Thus, the battle lines are being drawn for a historic security showdown that could rattle a lot of windows in the national capital.

EXHIBIT 9

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON, April 11.— * * *

THE OTEPKA CASE

The New York Times campaign to block Senate confirmation of Otto Otepka as a member of the Subversive Activities Control Board is being sparked by a former State Department employee.

April 25, 1969

CONGRESSIONAL RECORD — SENATE

S4111

The anti-Otepka strategist is Harding A. Bancroft, the Times' executive Vice President who once was under investigation by Otepka for his close association with Alger Hiss, the former high-ranking State Department official convicted of perjury.

State Department insiders report that Bancroft has actively opposed Otepka's return to government security work since the veteran security officer was suspended in 1953. At that time, Otepka provided to documents to the Senate Internal Security Subcommittee to support his testimony about lax security in the handling of clearances for several persons, including Bancroft, for important State Department posts.

Bancroft was being sponsored for a key State Department position by Harlan Cleveland, then assistant Secretary of State for International Organization, and former Secretary of State Dean Rusk.

Otepka, the State Department's top authority on government security regulations, insisted that before Bancroft was given a sensitive State Department assignment that "several matters" in his security file be resolved by a full-scale FBI investigation.

Instead, Bancroft's friends who were Otepka's superiors in the State Department waived the investigation. The Senate Internal Security Subcommittee, which was conducting an inquiry into the Department's lax security practices, quizzed Otepka about the Bancroft matter.

OTEPKA'S TROUBLE BEGINS

As a result of Otepka's cooperation with the Senate Subcommittee, the veteran security official was suspended and charged by the Department with giving classified information to the Senate probers.

Otepka, after five years of fighting the charge, was nominated last month by President Nixon to the Subversive Activities Control Board, an independent government security agency.

Hearing on Otepka's nomination is now scheduled for Tuesday, April 15 before a Senate Judiciary Subcommittee. Since the Otepka nomination was submitted to the Senate, the New York Times under Bancroft's direction has blasted the nomination editorially.

Also, Neil Sheehan, the newspaper's controversial Defense Department correspondent, was given the assignment to try to link the veteran security officer with extremist groups—none of which Otepka had ever been a member or actively supported. One of Sheehan's articles already has appeared.

FROM THE RECORD

Testimony and documents gathered by the Internal Security Subcommittee provide an insight into Bancroft's opposition to Otepka.

These records show that Bancroft was first employed in the State Department in 1946 on the recommendation of Alger Hiss in the office of Special Political Affairs (later renamed the Office of United Nations Affairs), which Hiss headed.

While in the Department, Bancroft became involved in a bitter dispute with Loy Henderson, Director of the Office of Near Eastern and African Affairs, a veteran diplomat and staunch anticommunist.

Bancroft insisted that the Soviets be permitted to retain units of the Red Army in Iran (Persia) beyond March 2, 1946, despite the fact that this would be in violation of a Treaty of Alliance to respect Iran's territorial integrity. Great Britain and the U.S. already had withdrawn their forces after the end of World War II.

In one of his great decisions, former President Truman disregarded the Bancroft recommendation, and decided to force the Soviets to withdraw their troops immediately. He did this by threatening strong U.S. action

if there was no Russian pullout. The Russians withdrew.

Bancroft also tried to get Robert Alexander, a highly respected and knowledgeable official in the State Department's Visa division, fired. He recommended his ouster after Alexander told a Congressional Committee that the United Nations headquarters in New York was a haven for alien communists and espionage agents.

Although Alexander's testimony later was confirmed publicly by statements of FBI Director J. Edgar Hoover, his career was ruined by Department officials who entered into his records a stiff reprimand for telling the truth.

In the case of Cordier, Otepka recommended to Reilly that additional investigation be conducted before further consideration was given to the granting or denial of a clearance. Belisle concurred with Otepka and Reilly concurred with Belisle. As the result, Cordier was granted a full clearance for appointment to the Department.

FOOTNOTES

*"Pages" cited throughout this document refer to typed transcripts of Reilly testimony before the Senate Internal Security Subcommittee.

¹ See Exhibit I at p. 1721.

² IO: Assistant Secretary for International Organization Affairs.

³ OIA: Office of International Administration.

⁴ SY: Office of Security.

⁵ Typed note at bottom of page: "Copy given to Sourwine on May 23, 1963."

⁶ A typed line at the bottom of typed page 2 reads as follows: "Given to Sourwine on May 23, 1963." (The correspondence referred to read as follows:)

MAY 14, 1963.

Mr. BELISLE: Reference is made to your handwritten note of May 13, 1963, on the subject "Staffing International Organizations," requesting my comments on the attachments by noon, May 14.

The report of the Advisory Committee on International Organizations which is dated April 22, 1963, and appended to OM—Mrs. Rogers' memorandum of May 8, 1963, was given to the press about two weeks ago. A brief account appeared in local newspapers. I did not see the actual report itself until you sent it to me yesterday.

The Advisory Committee on International Organizations Staffing previously drafted a report dated March 1963 on the staffing of international organizations. I discussed with Mr. Reilly my views on the contents of that report. Thereafter, on March 18, 1963, I submitted to Mr. Reilly for his signature a proposed memorandum drafted by me personally addressed to Mr. Orrick containing detailed written comments with respect to Section 6 regarding "Loyalty Investigations of U.S. Citizens Employed by International Organizations."

I note that the new report of the Committee has eliminated in its entirety the Committee's previous comments and recommendations that investigations of Americans employed by UN agencies be conducted on a post appointment rather than a preappointment basis. The new provisions, now designated as Section 8 and captioned "Government Clearance of Candidates for International Organization Employment" merely contains an observation that the problem clearance is a difficult one and should be given careful consideration in the immediate future. The present report advocates more simplified procedures to appoint qualified Americans when they are needed but it does not specify the types of procedures desirable.

I see no objection to the revised provision. However, any new procedures proposed in the future should take into account the

matters which I discussed in detail in my comprehensive comments of March 18, 1963. I have received no indication as to the approval or disapproval of my previous observations and recommendations. I would appreciate being informed of their disposition for my future guidance.

OTTO F. OTEPKA.

[Pencilled note]

MAY 18, 1963.

Subject: Staffing Int'l Org.

To Mr. Otepka:

Please let me have any comments by noon May 14.

Thanks.

BELISLE.

DEPARTMENT OF STATE,
ASSISTANT SECRETARY.

MAY 6, 1963.

Subject: Staffing International Organization—A Report of the Advisory Committee on International Organizations.

To: SY—Mr. John F. Reilly.

O has asked OM (Office of Management) to staff out the attached. Could we have any SY views soonest (by telephone—Extension 4331—if you prefer). The item you may be most interested in is marked at pages 24 and 25.

OM—GLADYS P. ROGERS.

Attachment: A Report of the Advisory Committee on International Organizations. (The April 22, 1963, draft of the Report on International Organizations staffing accompanied the above request.)

⁷ Copies of pertinent memorandums supplied by Mr. Otepka were marked "Exhibit No. 1" and are printed at p. 1721.

THE COURTS AND THE PUBLIC SCHOOLS

MR. THURMOND. Mr. President, every Monday millions of Americans fearfully scan their newspapers to find the latest edicts of the Supreme Court. The Court has in recent years put its own peculiar brand of sociology on many facets of our daily lives, but there is no more blatant example than its rulings in the area of education.

Dr. Carl F. Hansen, former superintendent of schools for Washington, D.C., has written an excellent article entitled "When Courts Try To Run the Public Schools," published in U.S. News & World Report for April 21, 1969, which should be read by all of us. It may be recalled that Dr. Hansen was hailed by many throughout the Nation for his pioneer work in the city of Washington in response to the 1954 Brown decision.

Mr. President, as an educator, Dr. Hansen is well qualified to illustrate the dangers inherent in the Court's decisions affecting education; and as one who has been deeply involved in the issue, he knows better than most lawyers the effects of the Court's rulings on the public school system.

Mr. President, with the hope that this article may provide some much-needed information in an area of vital concern to all of us, I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

are in favor of a convention like some parts of the bill, and dislike others. Those who are against the convention also favor some of the bill and oppose other sections. But increasingly public opinion recognizes that the issues cannot be ignored. As evidence of this feeling, the Washington Post of Saturday, April 12, called for Senate action on S. 632. I ask unanimous consent that the editorial be included in the RECORD at this point in my remarks.

There being no objection, the editorial referred to was ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL CONVENTION BILL

The Iowa Senate did not create much of a stir the other day when it passed a proposal for a national constitutional convention, although (if the House should concur) Iowa would be the 33d state taking such action. If 34 states join in this petition, it is widely assumed that Congress would have to call such a convention. And some people fear that a convention initiated solely by the states might abolish the Bill of Rights, create an elected Supreme Court and critically curb the powers of the Federal Government.

This venture aroused a great deal of alarm two years ago when the 32d state resolution was passed. Since then much of the steam has gone out of both the drive for a constitutional convention and the opposition to it. One reason for this is the careful work done by Sen. Sam J. Ervin Jr., which makes it evident that Congress would not need to call a wide-open convention even if two-thirds of the states should seek constitutional changes under the unused portion of Article V.

Another factor is the passage of time. The first petitions to Congress to call a constitutional convention came from 12 states in 1963. The purpose behind them was to deny the Federal courts jurisdiction over state legislative apportionment cases. Most of the petitions since then have asked for a convention to propose an amendment which would permit one house of a state legislature to be apportioned by some standard other than population. Are the two groups sufficiently related to be joined together into a single demand upon Congress? Another question must be raised about the validity of four petitions which apparently have not been received by Congress. Then there is the question as to whether the early petitions are still valid six years after they were voted. Under the terms of the Ervin bill designed to guide the submission of such petitions, they would remain in effect only four years.

Whether or not 34 petitions are ultimately received Congress ought to take up the Ervin bill at the first opportunity. It would tell the states how to proceed in petitioning for a constitutional convention and how to elect their delegates if such a convention should be called. It would make Congress the sole judge of whether the states had complied with the requirements in any instance. More important, it would confine the convention to the specific problem raised in the state petitions and the congressional call and give Congress discretion to kill any proposed amendment on other subjects by not submitting it to the states for final ratification.

In our view this safety valve is both proper and essential. Senator Ervin has noted that when the framers adopted two methods of amending the Constitution, one to be invoked by Congress and the other by the states, they did not intend to make one superior to the other. They did not invite the states to junk the Constitution and write a new one in a convention called by themselves. Both Madison and Hamilton make clear that the conventions which the states might initiate were intended for the proposal of specific amendments only.

We think Congress would be well within its rights in passing a law to implement this understanding. If it does so, most of the fear that has been associated with state-initiated conventions will evaporate. As a matter of policy it is infinitely better for constitutional amendments to be approved first by Congress and then ratified by the states, so that the will of the Nation as well as that of the states will be expressed. But as long as an alternative amendment procedure remains in the Constitution, and it is not likely to be repealed, Congress has an obligation to provide sensible guidelines for its use and not to risk a constitutional crisis after petitions from two-thirds of the states have been laid at its door. This would be a good bill for Congress to get to work on while it is complaining that it has nothing to do.

Mr. ERVIN. Mr. President, the differences of opinion over my bill should be debated fully on the Senate floor. This bill is too important to be dealt with by ignoring it. I will spare no effort to get this bill considered by the Senate, because I believe we cannot and should not shut our eyes to the responsibilities the Constitution has imposed on us.

CLARK MOLLENHOFF ON THE OTEPKA CASE

Mr. DIRKSEN. Mr. President, Clark Mollenhoff, of the Des Moines, Iowa, Register, has been a very responsible reporter on the Washington beat for a great many years. When the Internal Security Subcommittee of the Senate Committee on the Judiciary got started on the so-called Otepka case nearly 6 years ago, Mr. Mollenhoff gave a good deal of attention to it, and, in fact, his attention continued all through the hearings. He was really one of the men who stood by Otepka. He verified the documentation and sources; therefore, he was correct when he wrote and when he spoke.

Clark Mollenhoff went to the Freedom Foundation at Valley Forge on April 19 of this year and made a speech which was devoted to the Otepka case. There he set it out—line, page, and verse—in a way that really nails the matter down. I think it should be made a part of the literature on the Otepka case. I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY CLARK MOLLENHOFF

I call attention to the case of Otto F. Otepka and the case for moderation, patience and conscientious hard work on the seemingly impossible problems that face our society. I hope the six-year ordeal of Otto Otepka is nearly over, and that within a few weeks he will be busy at the Subversive Activities Control Board. I hope his term on the Subversive Activities Control Board will be marked by the same thoughtful and balanced actions that have characterized his approach to his six years of trial.

I will not say that there were no moments of anger and bitterness for Otepka in the last six years, for I know there were many in his long and often frustrating battle with the big bureaucracy that is the State Department. But, Otepka managed to keep the bitterness to himself through most of the time, and he avoided the temptation to engage in a public name-calling contest that could have seriously damaged his case.

For the most part, Otepka confined himself to the recitation of the written record of the Senate Internal Security Subcommittee and the papers filed by his attorney, Roger Robb, in connection with his personnel litigation. Because he confined himself to the written record he made it difficult for critics in the State Department to twist or distort his position by taking comments out of proper context. Because he kept meticulous records of his case and related matters, Otepka has been in a position to document the record of the activities of his tormentors.

Because of the care with which Otepka has proceeded the issues in his case have remained essentially the same as they were when the case started six years ago.

The State Department press office and other critics have found it difficult to create new side issues to distract from the basic case. In its simplest form this is the case:

The State Department political arm was trying to fire or denote Otepka because he told the truth under oath and produced three documents to prove he was truthful.

Otepka testified on lax security practices at the State Department and his testimony was flatly contradicted by a superior, John F. Reilly. This created a serious problem for someone had testified falsely under oath on a material matter dealing with State Department security.

Otepka was advised by the Senate subcommittee of the conflict in testimony indicating that either Otepka or Reilly had lied under oath.

Faced with that problem, Otepka said he could prove he was truthful and that his superior had told a false story. At the subcommittee's request, Otepka produced three documents:

1. A memorandum from Otepka to Reilly setting out the facts as Otepka had testified they were related to Reilly. It was initiated by Reilly.

2. A memorandum from Reilly to others setting out the information Otepka said he had conveyed to Reilly. This was signed by Reilly.

3. The personnel papers of a young woman. They contained no derogatory information. They were used to demonstrate how a case would be handled under normal circumstances.

Those documents were necessary to prove that Otepka was truthful. They dealt with a subject matter within the jurisdiction of the Senate Internal Security Subcommittee. None of those documents involved any national security secrets. Perhaps it would have been possible for Otepka to take those documents to his superior, Reilly, and obtain approval for delivering them to the Senate subcommittee for the purpose of proving that Reilly had given false testimony.

However, I do not believe it was unreasonable for Otepka to believe that he had a right to respond to the Senate Subcommittee request without clearing with Reilly. The Senate Subcommittee had the responsibility to find out who was telling the truth. Otepka had the information necessary to establish the truth and the right to prove his own veracity.

It was John F. Reilly who filed the charges of "insubordination" against Otepka for delivering the three documents to Congress. He also filed ten other charges that had to be dropped by the State Department after Otepka and his lawyer said they had evidence to prove that those charges were based on rigged evidence.

Reilly was in the group of officials who participated in the illegal and unauthorized wiretapping of Otepka's office telephone and the bugging of the State Department office. Reilly had a role in entering Otepka's office at night to ransack his desk and bore into the security safes to try to find grounds for firing Otepka.

This "get Otepka" drive failed to produce evidence but the pattern of harassment was the worst in police state tactics.

Reilly and others on two occasions lied to the Senate Internal Security Subcommittee in denying a knowledge of the eavesdropping on Otepka before they finally admitted it.

It was Reilly who filed the "insubordination" charge against Otepka to try to fire him. To me it was incredible that Secretary Rusk and other officials would permit Reilly to file the charges in the light of his pattern of "get Otepka" activity.

I started to work on the Otepka case in 1963 prior to the time Reilly filed the charges of "insubordination". I have followed it since then.

When I started work on this matter, I questioned Otepka extensively. I did not know him well then. I did not know if the facts he presented were accurate, nor did I know if there were other facts that might change the overall look of the case.

For weeks, and even for months, I was cautious about drawing any more than a few of the most limited conclusions on the Otepka case. Every investigation I made of Otepka's story demonstrated that he was accurate on the facts, and balanced in his perspective. In many respects he understated his case. Also, he was amazingly objective in viewing his own case, and in judgment about the men who were aligned against him. He had the restraint and judgment to draw lines between those who were actively engaged in illegal and improper efforts and those who seemed to be simply trapped into a position by carelessness or to present a united political front.

Despite the care with which Otepka related his case, I had difficulty in believing it was as one-sided as it appeared. I made every effort I could to determine if the facts were glossed over or omitted by Otepka or the Senate subcommittee. I questioned everyone I could at the State Department, up to and including Secretary of State Dean Rusk. Frankly, I did not want to believe the Kennedy Administration was either as incompetent or as cruel as it appeared to be.

In those first months, it was logical to ask if there was something in Otepka's record or his activities that in some manner justified the unusual methods used in the effort to get him. What crimes or suspicions of subversion could justify the use of wire-tapping and eavesdropping on Otepka, the tight surveillance kept on his activities, and the ransacking of his office and security safes?

There was no hint from his critics that Otepka was believed in either subversion or crime.

Also, the other obvious question involved Otepka's rulings on security cases. I asked if there was any case showing that Otepka had been irresponsible in branding someone a security risk on the basis of flimsy or rigged evidence? No one could or would cite a case of irresponsibility or lack of balance in any Otepka evaluations.

Month after month I asked for the case against Otepka. In the end I concluded that there was nothing else against Otepka except the so-called "insubordination" in producing the documents for the Senate Subcommittee.

There were insinuations that Otepka was a "right-winger" who deserved no defense. At State officials hinted that Otepka was a "McCarthyite" but they shut this off fast when I asked them for specific details after explaining that Otepka did not know McCarthy, and recalling that Otepka had recommended clearance of a number of persons in controversial cases.

The undocumented State Department line apparently went over with some reporters. A few reporters wrote stories crediting the Kennedy Administration with taking a necessary step in disciplining Otepka to crush out "the last vestiges of McCarthyism" at the

State Department. They gave no facts, but with this broad smear engaged in the worst type of McCarthyism against Otepka. I asked several if they had any facts linking Otepka to McCarthy. They had none.

I asked several of my colleagues if they knew that Otepka had recommended the clearance of Wolf Ladejnsky in 1954 at a time when Agriculture Secretary Benson was ruling that Ladejnsky was a security risk. Most of them did not.

I reviewed the Ladejnsky case in which the Benson decision became a great cause for liberals, and with good reason. Benson's decision was an arbitrary and irresponsible one, as was later established. I had a major newspaper role in correcting the Ladejnsky decision, but I had many helpers and editorial supporters in the liberal press.

I tried to demonstrate that the Ladejnsky and Otepka cases were similar. Both men were career public officials who were being persecuted by political decisions with all of the power of a cabinet office being used to enforce an unjust arbitrary decision.

The American Civil Liberties Union and other liberal groups rejected my efforts to stimulate their interest in the Otepka case. I argued that true liberalism demanded that Otepka, a conservative, should be defended as stoutly as Ladejnsky, a liberal, was defended.

For the most part that plea was futile, even though the ACLU did enter the case briefly to protest the proceedings in the State Department appeal.

The State Department hearing was a rigged political court to give Otepka a pro-forma hearing before Rusk ruled against him and demoted him from a \$30,000 job to a \$15,000 job.

Roger Robb, lawyer for Otepka, protested the hearing form, and sought witnesses to establish a frame-up of Otepka. His pleas were rejected by the hearings officer, and by Rusk.

My disappointment with the failure of liberal organizations to come to Otepka's defense has been matched by my disappointment in some of my liberal press colleagues. We worked together on the Ladejnsky case, and they were eager to help. No amount of persuasion could move them to examine the even greater injustice of the Otepka case.

I realize the record of the Otepka case is voluminous and despite the reports of the Senate Internal Security Subcommittee has remained controversial. This did make it a difficult case to unwind, and it made it easy for State Department spokesmen to distort the record and to snip at Otepka from the protecting cover of anonymity.

There may be some malicious and intentional distortions by some segments of the press, but I prefer to hope that the mass of distorted reporting on the Otepka case was a result of carelessness and a lack of diligence on the part of overworked State Department reporters. Certainly, the voluminous record made reporters easy prey to the distorted State Department backgrounders.

I realize the broad range of direct and subtle pressures brought to discourage a defense of Otepka, for I met most of them at some stage from my friends in the Kennedy Administration. One put it crudely: "What are you lining up with Otepka and all those far-right nuts for? Do you want to destroy yourself?"

There were also the hints that I could be cut off from White House contacts and other high administration contacts if I continued my push for the facts in the Otepka matter.

When I tried to discuss the facts and the unanswered questions, there was no interest in either the facts or the merits. They simply wanted to shut off reporting and comments on an embarrassing subject.

Fortunately there have been a few people who have continued to work on the case and to report something besides the State Depart-

ment version. I would pay special attention to Holmes Alexander, Ed Hunter, Edith Roosevelt, and Willard Edwards.

I want to pay special tribute to Willard Edwards. His conversation with Richard M. Nixon, the Republican candidate, set the stage for the naming of Otepka to the Subversive Activities Control Board. Edwards reported that Nixon intended to see that justice was done for Otepka, and I had a later conversation with the then Candidate Nixon in which he confirmed his conversation with Willard Edwards and again expressed his interest in straightening out the Otepka case.

There was some disappointment that Secretary of State William P. Rogers did not take direct action to reinstate Otepka as well as several of Otepka's supporters who were victims of the political knife under the Kennedy and Johnson Administration. But, since there has been no change in the top legal, personnel and press jobs at the State Department, I guess it should not be surprising if Rogers received one-sided briefings and actions recommendations that represented anything but justice for Otepka.

I had believed that Secretary Rogers—a former congressional investigator of subversion and a former Attorney General—should be able to analyze the Otepka case. But, he has been busy with the affairs of dozens of alliances, and in the absence of other evidence, I prefer to think his unfortunate letter on the Otepka case was a result of the work of holdover subordinates.

Fortunately, President Nixon stepped in to make things right with a top level vindication of Otepka through the appointment to the Subversive Activities Control Board.

There have been some efforts to stir an anti-Otepka drive in the Senate on ground that Otepka's association with some John Birch Society members made him unworthy of the SACB appointment. This guilt by association technique ranks with the worst "McCarthyism". There is the possibility that some Senators may try to stimulate an anti-Otepka move and some will almost certainly vote against his confirmation. This is their right.

If any opposition Senators conduct the research necessary to properly discuss this case, I have an idea that they will back away from any direct confrontation because it would focus national attention on one of the most serious black marks in the Kennedy Administration. Any discussion of the case is certain to point up more vividly than at any time in the past the sordid story of eavesdropping, surveillance, safe-breaking and other police state methods used by the Kennedy administration in the "get Otepka" drive.

I have been sorely disappointed over the press handling of the Otepka case over the period of the last few years. In seeking to analyze the reasons, I have concluded that much of the fault must be in the superficiality of the news media in dealing with complicated controversial issues.

The superficiality that marked the coverage of the Otepka case can also be found in an examination of the rise of the late Senator Joseph McCarthy to a position of national prominence on a record that included the wildest irresponsibility. The press made Joe McCarthy through its initial superficial and noncritical handling of his irresponsibility. It was impossible for a reader to tell fact from general smear. In the same manner the press permitted anonymous State Department people to smear Otepka.

Only when the newspapers became alarmed and enraged in a careful investigation and study of the details of the McCarthy record was there a public understanding of McCarthy as the irresponsible rogue he was.

Unfortunately, the press engaged in what I am afraid is a characteristic over reaction on the issue of loyalty and security. The fact that Joe McCarthy was wrong in engaging in

a general smear of public employees on charges they were disloyal or security risks did not mean that there are no persons in the United States Government who are disloyal. Yet, much of the press reacted in a manner that indicated there was no problem of loyalty and security and that anyone who suggested it was somehow off on a kick of "McCarthyism."

This type of an attitude is as destructive as are the equally irresponsible antics of a Joe McCarthy. It disregards the fact that there has been a constant problem of protecting national security interests. I assume there will be a problem until such time as the United States, the Soviet Union, and all of the other nations of the world can give effective guarantees that there will be no more spying. It is hardly necessary to add that I do not believe that there is any possibility of such a condition arising in the near future.

In the meantime, the government must try to manage a security program for the protection of our government and our people. The press must recognize this as a difficult problem with some inherent conflicts between personal liberty and general welfare. The system must be administered in a fair manner rejecting pressures to disregard security standards for political favorites and also the temptation to bar persons with otherwise fine records because of flimsy evidence or overly suspicious reasoning.

Since the press is our life line of information in a democracy, it is vital that newspapers learn how to deal with the major complex controversies of our age in a manner that enlightens rather than enflames the public. What I have said of this issue of security standards can also apply to our other major problems.

Obtaining a reasonable balance between the rights of defendants and the need for an orderly society through firm law enforcement.

Creating and maintaining the needed military-industrial complex without letting it control the nation or warp our institutions.

Establishing the rights of working men to bargain for fair wages and working conditions without permitting their leaders to destroy businesses, the government, or other institutions in our society.

These are only a few of the major problems that face our society today, but they are large enough and representative enough to demonstrate that the newspapers have a large responsibility. I hope they will learn from the past errors, and find a way out of the pattern of superficiality that has marred the past.

There would be no purpose in identifying those news organizations who through negligence or incompetence did not come to grips with the enormous wrongs of the Otpeka case in the years that case has been pending. I was pleased with the general fairness of most of the coverage of the Judiciary Committee hearing on the Otpeka nomination to the Subversive Activities Control Board. I hope that it means that there will be more thought to depth investigation and balanced coverage the next time such a case comes on the horizon.

THE SHOE INDUSTRY

Mr. DIRKSEN. Mr. President, when we contrived the Republican platform in 1968—and I had some hand in its preparation—we indicated that we would take a sensible and forward-looking position on the whole subject of foreign trade.

The Secretary of Commerce, the Honorable Maurice Stans, is on a trade mission to Europe at the present time. According to the reports I have seen, he is consulting with leading trade figures in various countries in Europe. I think

In that connection, I ought to call attention to the distressing situation that confronts the shoe industry of the country. I have more than a casual interest in it, because there are 42 shoe factories in the State of Illinois, they are located in 25 different cities, and, of course, their progress and their prosperity are contingent on the conditions that confront and beset the industry.

In 1968 we lost 22 percent of our domestic market to imported shoes. The shoe industry employs 230,000 people, and there are 1,100 factories scattered in some cities and towns in 40 States of the Union. The early figures for 1969 will indicate that 30 percent—which is getting close to one-third—of our entire domestic market is going to be surrendered to imported shoes unless something is done.

The key factor in all this problem is, of course, the wage scale. In the United States, the hourly wage scale is \$2.62. In Japan, including fringes, it is \$1.04. In Italy, it is 57 cents. In Spain, it is 55 cents. In Taiwan it goes as low as 15 cents an hour. These four countries sent 90 percent of all footwear sent to the United States last year.

Obviously, an industry which pays a wage of \$2.62 to employees working in the domestic shoe industry cannot meet that kind of competition. They use identical equipment and raw material costs are not major cost items.

1968 imports amounted to 175 million pairs of leather and vinyl shoes. That is the equivalent of 64,200 jobs. Cut it as thick or as thin as one will, we have just exported over 64,000 jobs abroad. We get to the wailing wall and make our lamentations about the ghettos and the conditions in the ghettos, and about the absence of work opportunity. This is the type of work that can be done by unskilled and semiskilled people. We are getting pretty close to the fringes of the ghetto. Perhaps we ought to think about doing something about it.

I earnestly hope that after Secretary Stans gets back to this country and makes his recommendations, we can get our teeth into the problem and see what we can do about a domestic industry that is being ground to the wall.

BASES IN SPAIN

Mr. FULBRIGHT. Mr. President, one of the most concise and perceptive analyses of the Spanish base affair, which has received much mention in the press recently, was that written by Mr. Ward Just and published in the Washington Post on April 24, 1969, entitled "The Bases Issue Seen From Spain." Mr. Just, a member of the staff of the Washington Post, is, as we all know, one of the most experienced newsmen on the American scene.

I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BASES ISSUE SEEN FROM SPAIN

call the Free World than Spain. Barred from NATO, barred from the Common Market, reviled by liberals everywhere for the endurance of the Franco regime, Spain continues to look inward. Spasms of political reformation are followed by suppressions. The Spanish, anarchists at heart, plot long in cafes while the economy inches forward, the middle class grows, and memories of the war recede. She accommodates 19 million tourists a year (not a misprint), yet remains on the outside looking in—a condition which pleases many Spanish. Habitually distrustful of outsiders, Spain is now making her own evaluation of the four obsolete and obsolescent bases she leases to the United States. The lease, it seems, is not a one-way street.

In Congress and in the American press, the debate has centered around the Pentagon's role in negotiating the renewal. A secondary question has been the matter of alliance: do the bases, either in fact or in theory, commit the United States to Spain's defense? If they do, Senator Fulbright and others are arguing, then there ought to be a treaty. Treaties, as all the world must know, are ratified by the Senate. And no one here loves General Franco.

The quid pro quo most often mentioned is \$150 million or so in military hardware, distributed to Madrid over the next five years in exchange for the leases. It is an old business, the "lease," for it requires the Spanish flag to fly over the bases and in language quite vague commits the United States to consult with the Franco regime if the bases are ever used. In fact, in the Lebanese crisis in 1958 and the Cuban missile crisis in 1962, the bases were "activated" with no prior notice to Madrid. That, according to a Spanish official here.

The core of the opposition to the bases (there are three Air Force bases, and one Naval base) here rests on two points: the first is that they are not militarily essential, either to the defense of Europe or the defense of the U.S., and the second is that they have the effect of propping up the Franco regime, now in its thirtieth year and bound to yield sometime soon. All this has had an extremely interesting effect in Madrid, which has its own split between liberal civilians and conservative generals. There is also something known as Spanish pride, which one trifles with at peril.

"We must not accept a 'dictat,'" said one recent editorial in *Ya*, a Madrid daily which reflects General Franco pretty much as Ronald Ziegler reflects President Nixon. "Anything but that, including the complete termination of the agreements renewed in 1963. Those agreements—as they were stipulated—have become too burdensome for us. Long range nuclear missiles have radically changed the situation from what it was when the agreements were subscribed. An alliance on equal grounds may be appetizing, but not the posture of an acolyte. We will not become a satellite country."

Going further: "Without adequate counter-measures against the dangers involved"—and here *Ya* means a signed treaty—"we believe that Spain should not renew the agreements with the United States. Analyzing the pros and cons of 15 years of 'agreements,' Spain has derived from them less advantages—many less—than the other side."

That last is arguable, since the bases have been at least one factor in the one-plus billion dollars in aid that has gone from the United States to Spain since 1950. But, as Spanish here put it, what kind of arrangement is it when the United States can rent land on which to emplace its weapons. Either there is a mutual security arrangement or there is not. As a Spanish Embassy official here puts it, it is "inadmissible" to lease the bases without regard "for the risks the arrangements would entail for Spain." Quite correct. It is not enough, as the Span-

1 - Mr. Gale
1 - Mr. Cleveland
1 - Mr. Young

August 28, 1970

BY LIAISON

16
Honorable Alexander P. Butterfield
Deputy Assistant to the President
The White House
Washington, D. C.

Dear Mr. Butterfield:

On August 26, 1970, you requested an up-to-date name check and a check of the Internal Revenue Service concerning Mr. Otto Fred Otepka.

It is noted that an applicant-type investigation was conducted concerning Mr. Otepka in April, 1969, the results of which have previously been furnished to you.

The Internal Revenue Service has advised that income tax returns were timely filed by Mr. Otepka for the years 1968 and 1969, and there is no record of unpaid taxes, liens, or intelligence investigations concerning these returns.

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning Mr. Otepka.

REC-54
Sincerely yours, 61-6231-121

NOTE: Request received 8/26/70. Otepka was controversial former employee of State Department who was appointed to the Subversive Activities Control Board by President Nixon in May, 1969.

FBI

DHY:mfm
(5)

RETURN TO MR. YOUNG, ROOM 1258.

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Felt _____
Gale _____
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Tele. Room _____
Holmes _____
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60 OCT 2 1970

MAIL ROOM ☐ TELETYPE UNIT ☐

The Otto Otepka Case Over His Role in Long Years of Controversy Department

The Post's story (Aug. 15) regarding the delay in the Senate confirmation of Helmut Sonnenfeldt for under secretary of the treasury contains statements about me that are not merely erroneous but defamatory.

One statement attempts to link me with the late Senator Joseph McCarthy because I was appointed in the State Department in 1953 at a time he was seeking to "root out security risks." This is an overworked tactic.

I never met Senator McCarthy. I had no connection with him whatsoever. My duties required that I carry out the President's security program. I did this without fear or favor. Thus, in the course of my determination with respect to government security regulations, I found no substance to the accusations that there were Communists in the State Department. My findings are a matter of record.

It is not true, as The Post alleges, that I was dismissed by the State Department in 1963 for "leaking information to a Senate aide." I have never been dismissed for any reason. I transferred from the Department to the Subversive Activities Control Board without a break in service, in 1969. I retired from the government in 1972 after 36 consecutive years of federal service.

I was reprimanded and demoted by Secretary of State Dean Rusk after I had responded to a lawful summons from the Senate Internal Security

Subcommittee, submitted through my superiors, and pursuant to the subcommittee's demand I provided information which established that three State Department officials had lied under oath when they denied that they had tapped my telephone and ransacked my office safe after opening it with burglar tools.

My requested testimony did not constitute "leaking," but it obviously embarrassed the Kennedy regime. My penalty was six years of harassment and solitude in a State Department pesthouse.

It is untrue that I have testified before two congressional committees regarding Mr. Sonnenfeldt, as The Post says. On the occasion of his public appearance before the Senate Finance Committee relative to his nomination, I was in the audience only as a spectator. I was not asked to testify and I did not seek to do so.

Following Sonnenfeldt's appearance, I responded to a formal subpoena served on me by the House Internal Security Subcommittee in connection with pending legislation relating to the present Federal Employees Security Program.

In my testimony, which was in executive session and under oath, I responded fully and truthfully to questions put to me about Sonnenfeldt, giving emphasis to his misstatements before the Senate Finance Committee on matters of which I had accurate knowledge.

A recent judicial determination has been made which is relevant. It is a written opinion issued by United States District Judge Roszel Thomsen on November 12, at Baltimore, Md., in connection with my libel suit against the New York Times.

Despite the finding by this respected jurist that establishes as untrue any allegation that I was "dismissed" or "fired" by the State Department, on November 13 The Post carried a story saying "Otepka was fired after being accused of releasing classified documents to a Senate subcommittee." I call to your attention the following findings by Judge Thomsen referring to certain charges made against me by the State Department in 1963:

(page 4). "The original decision was that he should be dismissed . . . Otepka appealed; his appeal stayed operation of the decision . . . he was given work of a trifling nature fairly referred to by him as 'made work' . . . The decision of the Secretary in December 1967 was . . . that Otepka . . . be transferred to duties which did not involve personnel security functions."

(page 6). "The evidence would support a conclusion, whatever one's ideological angle, that plaintiff (Otepka) was shabbily treated by the State Department."

Furthermore, Judge Thomsen also noted that I continued in the employ-

ment of the State Department in 1969 when I was confirmed by the United States Senate for a Presidential appointment on the Subversive Activities Control Board. The consensus among members of the Senate is that the full Senate would have rejected my nomination by the President had I been fired by the federal government for the offense alleged, or for any other reason.

The Senate hearings on my nomination were amply distributed to the press and these contain the full account of the shabby treatment that I received from the State Department to which Judge Thomsen referred in his findings.

OTTO F. OTEPKA

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Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
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Editor's Note: According to the State Department, Mr. Otepka was ordered dismissed by Secretary of State Rusk in 1963. He remained on the Department payroll during a long series of appeals which upheld Secretary Rusk's order. Prior to leaving office, however, Rusk, revoked the dismissal order but demoted Mr. Otepka in grade from GS 15 to GS 14; and reprimanded him officially. In 1968 Secretary of State William P. Rogers also declined to exonerate Mr. Otepka of all the original charges. In March, 1969, President Nixon appointed him to a \$36,000 a year job on the Subversive Activities Control Board.

The Washington Post Times Herald A-21
The Evening Star (Washington) _____
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The Wall Street Journal _____
The National Observer _____
People's World _____

Date December 4, 1973

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Otto Otepka Sues

Otto F. Otepka, former State Department security chief who was fired by former Secretary of State Dean Rusk in 1963 and later reassigned, was in court at Baltimore yesterday to read a 1970 N.Y. Times Magazine editors' note which he claims libeled him. Otepka is suing the Times for \$4 million, charging an editors' note in response to a letter he wrote about an article gives an inaccurate and malicious account of why he was fired by Rusk.



Star-News Photographer Joseph Silverman
OTTO OTEPKA

"Washington Star-News

The Washington Post
 Times Herald _____

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The National Observer _____

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UPI-132

(OTEPKA)

WASHINGTON--OTTO F. OTEPKA WON SENATE JUDICIARY COMMITTEE APPROVAL TODAY FOR A FULL FOUR-YEAR TERM ON THE SUBVERSIVE ACTIVITIES CONTROL BOARD (SACB).

MEETING BEHIND CLOSED DOORS, THE COMMITTEE RECOMMENDED SENATE CONFIRMATION OF OTEPKA TO THE \$36,000-A-YEAR POST WITH ONLY THREE DISSENTING VOTES.

NONE OF HIS OPPONENTS, SEN. BIRCH BAYH, D-IND., PHILIP A. HART, D-MICH., OR EDWARD M. KENNEDY, D-MASS., ASKED TO FILE MINORITY REPORTS. BUT THE COMMITTEE REPORT FAVORING CONFIRMATION WAS EXPECTED TO TRIGGER ANOTHER FLOOR BATTLE OVER THE FORMER STATE DEPARTMENT SECURITY CHIEF WHO WAS FIRED IN 1963 FOR ALLEGEDLY GIVING SECRET DOCUMENTS TO A SENATE COMMITTEE.

THERE WAS NO IMMEDIATE INDICATION WHEN THE SENATE WOULD TAKE UP THE NOMINATION.

OTEPKA, 56, WAS CONFIRMED TO THE SAME JOB TWO YEARS AGO TO FILL A VACANCY, BUT ONLY AFTER AN INTENSE POLITICAL WRANGLE. PRESIDENT NIXON REAPPOINTED HIM FOR A FULL TERM LAST FALL AND, WHEN THE SENATE TOOK NO ACTION, RESUBMITTED THE NOMINATION IN FEBRUARY.

OPPONENTS HAVE CHARGED THAT OTEPKA HAS CLOSE LINKS WITH CONSERVATIVE ORGANIZATIONS SUCH AS THE JOHN BIRCH SOCIETY AND THE LIBERTY LOBBY.

OTEPKA DENIED THE CHARGES DURING THE 1969 HASSLE BUT DID NOT TESTIFY OR MAKE ANY PUBLIC STATEMENT AT THE TIME OF HIS RECONFIRMATION HEARING LAST MONTH BEFORE A PANEL OF THE COMMITTEE.

COMMITTEE SOURCES SAID THERE WAS "HARDLY ANY" DISCUSSION OF OTEPKA BEFORE A VOICE VOTE WAS TAKEN ON HIS NOMINATION. THE SOURCES SAID THAT BAYH, HART AND KENNEDY WERE THE ONLY ONES WHO SPECIFICALLY ASKED TO HAVE THEIR VOTES RECORDED.

OTHERS KNOWN TO BE PRESENT AT THE MEETING WHEN THE VOTE WAS TAKEN WERE CHAIRMAN JAMES O. EASTLAND, D-MISS.; AND SEN. JOHN L. MCCLELLAN, D-ARK.; SAM J. ERVIN, D-M.C.; QUENTIN M. BURDICK, D-M.D.; ROMAN L. HRUSKA, R-MEB.; J. STROM THURMOND, R-S.C.; MARLOW W. COOK, R-KY., AND EDWARD J. GURNEY, R-FLA.

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SOBELL AND OTEPKA

Morton Sobell served 18 years of a 30-year sentence as a convicted Soviet spy, and has been on parole since 1969. Federal Judge Marvin E. Frankel now holds that Sobell need not obey a U.S. Parole Board order to stay away from antiwar demonstrations and refrain from addressing Communist-sponsored banquets and such. It seems the parole board order violated Sobell's constitutional rights.

Otto Otepka, when a State Department security officer in 1963, slipped some secret documents to the valuable Senate Internal Security Subcommittee, and has been hounded by "liberals" in and out of government ever since.

President Nixon now has nominated Mr. Otepka to a four-year term on the Subversive Activities Control Board—a panel to which he probably would bring new life and zeal, given a little cooperation by the Justice Department.

We think the Senate would do well to rebuke Judge Frankel's dangerous tenderness toward Morton Sobell by confirming Otto Otepka to the SACB without delay. We further think Congress should enlarge and expand the SACB's powers, also without delay.

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FOR MR. TOLSON

WASHINGTON CAPITAL NEWS SERVICE

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TERM IS EXPIRED, BUT OTEPKA STAYS

Unconfirmed He Keeps Post
Through Quirk in Law

By DAVID E. ROSENBAUM
Special to The New York Times

WASHINGTON, Dec. 17 —

Among the many matters still pending as the first session of the 92d Congress adjourned is the nomination of Otto F. Otepka to serve a full five-year term on the Subversive Activities Control Board.

Mr. Otepka, the controversial former chief State Department security evaluator, has been serving on the board for more than a year since his earlier term expired and has been receiving his \$36,000 annual salary, even though he has not been confirmed by the Senate.

Mr. Otepka said in an interview that he did not plan to

leave his position, and Congressional sources said it was highly unlikely his confirmation would ever be considered by the Senate.

Neither Mr. Otepka's conservative supporters in the Senate nor the liberals who oppose him are eager for the nomination to come to a vote.

Mr. Otepka can remain on the job and draw his salary because of a quirk in the Internal Security Law that permits a member of the Subversive Activities Control Board to stay on the board until a successor is qualified.

Since Mr. Otepka is his own successor, the position will remain his until some future President names someone to replace him. President Nixon, who has nominated Mr. Otepka three times for the board, is highly unlikely to nominate anyone else.

The board itself has been nearly dormant for years because of Supreme Court rulings that the board's principal function—to classify individuals as subversives—was unconstitutional.

last week, the board took one of its few formal actions in recent years. It declared that 25 organizations on the Attorney General's list of subversive organizations no longer existed and could be stricken from the list. One of these organizations, the Abraham Lincoln Brigade, has been out of existence since 1938, the board said.

Mr. Otepka, 56 years old, first became a controversial figure during the nineteen-fifties when he was one of the most zealous Government investigators during the antisubversive campaign of the late Senator Joseph R. McCarthy, Republican of Wisconsin.

During the Kennedy Administration, Secretary of State Dean Rusk demoted Mr. Otepka to a clerical job in the department on the ground that he had passed confidential information to a Senate committee. Mr. Otepka's case became a favorite cause of conservative organizations.

Review Was Promised

During the 1968 election campaign, Mr. Nixon promised a "full and exhaustive review" of Mr. Otepka's dismissal. In March, 1969, two months after he took office, the President nominated Mr. Otepka to fill a vacancy on the Subversive Activities Control Board.

He was confirmed by the Senate then, but the term expired in August, 1970. The next month Mr. Nixon renominated him for a full five-year term.

The Senate failed to act in the 91st Congress, and Mr. Nixon nominated Mr. Otepka for a third time last February.

The Senate Judiciary Committee approved the nomination in June, but liberal Senators immediately put a "hold" on the nomination.

This meant that Senator Mike Mansfield of Montana, the Democratic leader, would not call the nomination to the floor unless other Senators asked him to. So far no Senator has asked that the nomination be brought to a vote.

A conservative Republican Senator said this week that there was "no need to go through a big hassle since he has the job anyway."

A spokesman for Senator Birch Bayh, Democrat of Indiana, one of Mr. Otepka's leading opponents, said it was a "gesture" to keep the nomination from coming to a vote.

And a Senate staff member who has been following the case closely said, "It's just simply easier to duck the whole issue."

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Associated Press

Otto F. Otepka

The Washington Post
Times Herald _____

The Washington Daily News _____

The Evening Star (Washington) _____

The Sunday Star (Washington) _____

Daily News (New York) _____

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Confirmation Of Otepka Is Put Off

United Press International

Congress will adjourn without Senate confirmation of Otto Otepka to a full five-year term on the Subversive Activities Control Board.

Senate Democratic Leader Mike Mansfield said in a brief interview yesterday that the Otepka nomination will not be considered this year.

"There's a hold on it," Mansfield said.

That meant that some senator, unidentified, had informed Mansfield that he would not consent to automatic consideration of the nomination.

Otepka was appointed to an unexpired term on the board by President Nixon and confirmed by a 61-28 vote in June, 1969. The short term expired in August, 1970, and in June of this year Mr. Nixon nominated Otepka for a full five-year term.

The nomination has remained at the top of the executive calendar since.

Otepka was fired as chief of the State Department security apparatus for turning over classified documents to the Senate Internal Security Committee. He is appealing his discharge.

Under the law setting up the SACB, board members may remain in office until their successor is qualified.

OTTO Fred Otepka

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 The Washington Daily News _____
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Date December 14, 1971

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FEDERAL BUREAU OF INVESTIGATION
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No Duplication Fees are charged for Deleted Page Information Sheet(s).

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Page 81 ~ Referral/Direct
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Otepka Case Delay

His Request for a Hearing? Denied

By HOLMES ALEXANDER

Washington — Two dozen State Department security officers have been reluctantly surrendered by Secretary Rusk to answer questions before Senator Eastland's Internal Security subcommittee, and it's the kind of story where the talk turns to horse trading.

Back in June 1963,

Otto Otepka, Alexander the State Department's chief security evaluator, was physically barred from his office space and otherwise humiliated for delivering opinions and information to Internal Security over the heads of his superiors.

After much feuding between the Senate and the department, during which three of Mr. Rusk's men were caught lying under oath last January 20, Otepka asked for a hearing before an independent examiner. Exactly six months later—on July 20—as I learn from Otepka's attorney, Roger Robb, the answer came back—request denied as being against the department regulations.

Three 'Conditions'

As to the horse-trading, I am asking on good grounds whether it's true that Secretary Rusk offered to call off the hearings and reinstate Otepka on three conditions:

1. That Otepka would admit he did wrong by going out of channels to give the Senate information on security which it couldn't get elsewhere.

2. That Otepka would accept reassignment to some department post not connected with security, his life's work for nearly 30 years.

3. That the Senate would not insist upon quizzing other security officers.

My inquiries were made in part at the office of Assistant Secretary for Administration William Crockett. The letter denying Otepka's request was read to me by phone, but further answers are being referred up the line.

'No Deal'

Meanwhile, Internal Security is going ahead in executive session with its interrogation of the security staff, so it looks

like "no deal" on that point. I have it on the best authority that Otepka will refuse to back down on the other two points.

His long-delayed hearing has been assigned to the department examiner. Theoretically, according to department regulations, the hearing should be held within two weeks. But a 13-week period has lapsed since Otepka was first accused, and his lawyer is not optimistic about a speedy conclusion.

Otepka intends to persevere. One of these days—unless there's a horse-trade first—he'll tell it all to a jury.

Some of us have written Otepka's news story in detail, and no more than a resume is now in order. It's a story of the shadow government which often holds the mystery of why our country, the bastion of the Free World and the disciple of human decency, can't seem to win the Cold War against the most notorious and widespread system of tyranny in history.

Otepka's Job

One reason is that dozens of daily decisions, and mounds of analytical materials, are put together by persons who are not, for the most part, conspirators but who are accommodative to the enemy's viewpoint and not at all ardent for ours.

It was Otepka's job to size up the men and women who get appointed to these positions and to committees. Their work there is done at a level that doesn't permit or warrant the same kind of coverage we give congressional debates and high-level press conferences.

A security evaluator like Otepka doesn't, as is sometimes idiotically charged and believed, pass judgment on gossip and gutter talk. He is interested in documents which show membership in Red front organizations, and with active association with subversives. He believes that persons with such records shouldn't be allowed in the shadow government.

His superiors at the State Department don't seem to care. And that, in brief, is what the Otepka case is all about.

I Hope He TELLS ALL TO A JURY.

THATS THE ONLY WAY TO GET RID OF THE LEACHES + SACKED COWS!

65-68266-56

Internal Security Problem

By RICHARD WILSON

Washington — Senator Thomas Dodd, of Connecticut, is an old friend of President Johnson. He was for Johnson for President in 1960. But he has not been

very successful in getting the President to pay needed attention to the charges of the Internal Security subcommittee of the United States Senate that security procedures in the Executive Branch, particularly the State Department, are lax and dangerous.



R. Wilson

Mr. Johnson now has reason to know that even the man closest to him might, without the President's knowledge, have weaknesses which made him vulnerable to blackmail and were of such a nature that his resignation was called for immediately. The Walter Jenkins case is not unique. It happened before in the case of a trusted associate of a previous President who also resigned after his appointment, much to the sorrow of those who had known his devotion to public service.

This man, as well as President Johnson's special assistant, was too vulnerable to hold a position of close intimacy with the President of the United States. In neither case was this vulnerability known at the time of appointment.

These cases alone should be enough to demonstrate that great care must be taken in the selection of all personnel having to do with the national security. No shadow can fall across them, cruel as this may seem in human terms.

This is what Senator Dodd has been contending. Scores of employees have been given "emergency clearance" in the Department of State, without any particular "emergency," and thus have been spared a thorough examination of their records prior to employment.

Easy-going security procedures have replaced those of the Eisenhower administration. When one employee, long recognized for the even-handedness of his administration of security procedures, told the truth to the Senate Internal Security Committee on State Department practices he was suspended for disclosing "secret information" — information which, in itself, was innocuous but disclosed the casual methods of clearing applicants for employment. This, of course, was the "controversial" Gtepha case.

ATK 12516

WHO IN THE STATE DEPT WOULD
DARE DENY THE ABOVE?

Congress to Review State Dept. Morals Cases

As the Walter Jenkins morals case indicates, one of the biggest problems facing the new Congress is what should be done about the growing number of homosexuals in government.

William J. Crockett, the State Department's Deputy Undersecretary for Administration, testified under oath before a closed-door meeting of the Senate Internal Security Subcommittee that "homosexuality is the most disturbing security problem in the department."

"From 80 to 100 sexual deviates are quietly removed from the State Department each year," he reported. "But many still remain."

The subcommittee has been probing the lax security methods in the State Department for more than three years. It has accumulated a dozen or more volumes of testimony and documentary exhibits, which are to be published before Congress reopens in January.

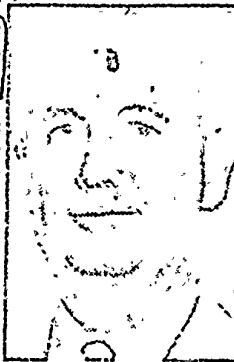
One of the subcommittee's documents will tell of the methods that Soviet secret police use to blackmail U.S. diplomats.

Some publishable highlights of the subcommittee's documents are:

"The use of photographs of sexual relations for coercion is portrayed in an account concerning an American in Eastern Europe who was supposedly engaged in homosexual activities with a foreign national. The Communist police confronted him with photographs of these activities and threatened to forward them to the American authorities if he did not cooperate.

"In another case, concerning a married man's illicit relations with a foreign woman, the American was similarly threatened with exposure via incriminating photographs.

"The almost incredible aspect of morals entrapment is that some Americans have reportedly continued to expose themselves to this danger and were subsequently subjected to police-recruitment attempts even after their partner advised them that she was under secret police direction."



CROCKETT.

INSTEAD OF PERSECUTING HONEST MEN,
LIKE OTERKA, WHY DOESN'T THE STATE
DEPT ORDER A FULL SECURITY
INVESTIGATION OF ALL THEIR RESPONSIBLE
EMPLOYEES, SO THAT THEY GET RID OF
THESE PHONIES once & FOR ALL.

HOW ARE THESE SEXUAL DEVIATES
ABLE TO OBTAIN A SECURITY CLEARANCE
IN THE FIRST PLACE? CROCKETT'S STATEMENT
IS PROOF POSITIVE OF THE GROSSLY INADEQUATE
INVESTIGATIONS CONDUCTED BY THE STATE
DEPT PRIOR TO EMPLOYING THESE PHONIES.

EDWARD HUNTER

Residence:
320 N. George Mason Drive
Arlington, Va. 22203

Telephone:
(Code 703) 524 - 7857

Mailing Address:
P.O. Box 3541 Central Station
Arlington, Va. 22203

September 22, 1964

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Note
Your appraisal of the Otepka case is correct. There is no more important case in our time in our ~~hate~~ country. If a conscientious and capable security chief of an Administration department can be fired for telling the truth when asked by Senators in a hearing, under oath, our Constitutional, check and balance system of free society has been murdered. The case is still unsettled. The Johnson Administration is dragging its feet on it until the election. As I see it, the big issue of the election is ~~this~~ embodied in this one, whether we shall have a democratic republic, or a dictatorship called liberal, actually a police state.

Of course the State Department did not answer you. You showed in your questions to it that you were already informed of its perfidy.

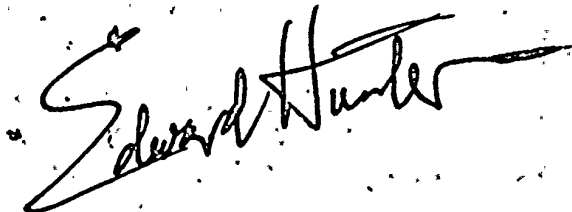
I enclose a letter to Anti-Communist Liaison contacts I sent out ~~ex~~ toward the close of last year announcing my intent not to give up, and cease my activity, and go back to just writing books, but under the inspiration of this product of our ethnic ~~negro~~ communities, publish ~~the~~ TACTICS. I began Jan. 20, and it has had great impact. I also enclose the column sent out by Edith Kermit Roosevelt on Otto Otepka, as published in about 40 newspapers.

I enclose the material you sent me, so you can use it again.

Incidentally, TACTICS can only continue if people like you subscribe to it. It is not a newsbulletin, as I wrote you, but gives guidance and warns of red booby traps, so people like yourself can be effective. I would like to have you on our subscription list. You would be in good company. An important portion of subscribers are nationally known. Practically all ~~have~~ are using their influence, and find it helps them do so. It can help you, and your subscription could help keep it going, especially if you would pass the word about it.

Bestest,

p.s. The fee is \$100 a year.



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Dear President Johnson:

For almost a year now, I have found it not only difficult, but virtually impossible to obtain any information from the State Department.

The only controlled information I've received from them has been requests via the White House which they could not ignore. Is this the way a free society and democracy is supposed to work?

My case is not an isolated one. I know for a fact that congressmen, senators, congressional committees, etc., get answers that do not answer; justifications that do not justify; promises that are not kept. (Refer to attached.) Why do you permit such a deplorable condition to exist?

It has and shall always be my view that "government is the peoples business and in order to keep it that way, both news media and government officials are under obligation to keep the public correctly and honestly informed". Do you disagree with this view? If not, I would like to know what action the White House proposes, to make certain the State Department follows the above?

Because of the State Department's reluctance to answer my questions, I am convinced there is something sinister going on in this organization. In the interest of good government and our National Security, I believe it is your responsibility to take immediate steps and expose any improprieties that exist there. Don't you agree?

Mr. Johnson, I am a determined man and intend to get answers for all my questions one way or the other, regardless of how long it takes, or how far I have to go. My case is well documented and I am not alone. I'm in constant touch with several congressmen, senators, and columnists who share my view.

In spite of the State Department's efforts to ignore me, I'm confident they would answer my questions if requested to do so by the White House.

Will you help me?

Sincerely,



No Reply

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OCT 22 1964

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Dear Mr. Greenfield:

Your letter to me of October 16 is nothing more than a form letter (of which I have several) on the Otepka Case. It answers none of my questions. I consider it hogwash and useless.

Why the sudden concern about the rights of Otepka? Reilly, Belisle, and Hill did not show this concern when they resorted to "Police State Tactics" in order to drum up petty charges against Otepka. Who did they get their orders from? Or is this information confidential?

Your boss committed a serious blunder when he tried to fire Mr. Otepka. Is that the reason Otepka's hearing has been delayed for almost a year or until after the election?

In short-- I want straight forward honest answers to my questions and not propaganda. Feed that routine about "jeopardize the rights of an employee" to someone else. I don't buy it. The State Department did worse than "jeopardize Otepka's rights" when they resorted to "Police State Tactics" to get him. So I suggest the soft heads who are now looking for a way out, come up with another alibi.

I intend to get answers for all my questions one way or the other and shall continue to write President Johnson until I do.

Sincerely,

b6
b7C

No Reply

OCT 15 1964

b6
b7c

Dear President Johnson:

Recently a directive was issued by the Office of Security of the State Department to its field agents in the U. S. directing destruction by burning of certain specified files.

Specifically, they were ordered to destroy by burning "all completed investigative reports" and to destroy by burning "all accumulated administrative material." It further directed that resident agents "destroy index cards by burning."

On September 28 two Congressmen joined their efforts to secure the full facts regarding the order and its import. In response to their telegram, G. Marvin Gentile, Director, Office of Security, contacted them and two conferences were held with Mr. Gentile on the mornings of September 29 & 30.

Without elaborating all of the details and subject matter of those conferences, it suffices to state that they focused their questioning of Mr. Gentile on those principal points regarding the effect of compliance with the file-burning order.

At the conclusion of those conferences, and with information obtained from other sources the Congressmen believe that either from lack of knowledge on his part, or because of instructions from superiors, Mr. Gentile gave them gravely misleading answers to their inquiries. The last time something like this happened Mr. Reilly, Mr. Belisle, and Mr. Hill were forced to resign from the State Department.

Who has been slated by the State Department to be the next fall guy?

In short Sir, the Security Scandal grows. The Congressmen's experience in this matter has been a case study in frustration. They had been given answers that do not answer; justifications that do not justify; and promises that were not kept.

The United States would be winning the cold war if the State Department were as successful in creating confusion and frustration among our enemies as it is in producing these same results with members of Congress who seek straightforward, honest, accurate, meaningful answers to legitimate and relevant questions about State Department operations.

Why the reason for this concern-- the Congressmen were further advised that the records, material and information contained in those "reference files" are the only existing files, records, and information of this character.

There are now strong grounds for the conclusion that such destruction of the only existing files may constitute a violation of Federal Law relative to the dis-

posal of files and records.

Now I ask you, Sir, are you or are you not concerned about these recent happenings in the State Department? How can I, or anyone else expect to get honest answers from the State Department when the Senate Subcommittee for Internal Security is not able to do so?

We have come to that point and time where you Sir, have to make a decision. Perhaps it may have been appropriate to be silent on previous occasions, but it's too late for that now-- the security of our country is involved. What is more important?

You Sir, are in a much better position than I to separate fact from fiction, but after reading the testimony of the hearings to date on State Department security, I believe that only the surface of this security scandal has been exposed. The cancer may be malignant and only you have the power to arrest it. I think the American people are entitled to know the truth, don't you? Which will it be:

1. Stand behind and defend the present practices and policies of the Security Section of the State Department; say all is well and they are doing a commendable job,

O R

2. Issue an Executive Order stating in part that "any and all records, files, personal folders, (confidential or otherwise), witnesses, etc., shall be made available for use of the Senate Subcommittee for Internal Security at their discretion?"

Sincerely,

[Redacted Signature]

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b7C

P. S. How much longer do I have to wait for answers I requested from Deputy Undersecretary W. Crockett, and Secretary of State D. Rusk, regarding the Otepka Case?

No Reply

OCT - 6 1964



b6
b7C

Mr. Rusk:

Three months have gone by since Mr. Crockett assured me on July 6, 1964 that my questions would be answered within a few days. I'm still waiting for my answers.

Otepka has been charged by the State Department with "conduct unbecoming an officer". What type of conduct do you call Mr. Crockett's going back on his word to me? Do you have two sets of standards in the State Department?

I shall always believe that we live in a free society, and that it is not only a privilege, but a right for me to expect answers from public servants. Have you people decided to put yourselves above the Law?

Because of your reluctance to answer my questions, I shall redouble my efforts to help expose those who are out to get Otepka, and make certain he gets his old job back. By the time this case is finished, I hope and pray you people will be forced to make a public apology to this man.

This dedicated civil servant has devoted the better part of his life to Government service; can you say the same for yourself? Who in your Department has a more outstanding record than he?

Government regulations require that every civil service employee be given a performance evaluation annually. Why is it that Otepka hasn't received one since September 1960? Who is responsible for this? Do you refer to rules and regulations only when it suits the Department's purpose?

Note: I would now like a clarification from the State Department.

Do you and/or the State Department take the position that I haven't got the right to know what is going on in my government? Is it your view that the questions I ask about the Otepka Case are none of my business? If so, I challenge you and the State Department to make this statement to me in writing.

Since you have been very cooperative in the past and answered all my questions promptly, I now have several more for you:

1. Is it true that Otto Otepka has been ordered not to testify before Congress on anything concerning your determination to fire him? If

so, who issued this order and by what written authority was he permitted to do so?

2. Is it true that when John F. Reilly was appointed Deputy Assistant Sect'y for Security on April 16, 1962, one of his specific assignments was to "get Otepka"? If so, who hired Reilly and who gave him this assignment?
3. Is it true that John F. Reilly, who was instrumental in bringing the charges against Otepka, received a grade raise after the charges were filed? If so, who approved this raise and can he justify same?
4. Since November 5, 1963, what corrective action has been initiated by you to prevent "Police State Tactics" (such as employed on Otepka) from being used on any other honest and trusted civil servants?
5. How can I or anyone else be assured that the State Department is not now resorting to clandestine methods to drum up petty charges against honest civil servants? It happened once, how do we know it won't happen again?
6. Is it true that the State Department issued a regulation in 1961 that permits the monitoring of conversations? If so, who authorized it and for what purpose?

Regarding the specific charges against Otepka, let me say this, "the State Department doesn't have a case against Otto Otepka and they know it." Is that the reason you have denied him the hearing he's entitled to? Or is it perhaps because Mr. Otepka is not receptive to any compromise?

I have no fear of the State Department and I would like to tell you why: they can't rifle my files, tap my telephone, read my typewriter ribbon, examine my burn bag, harass, humiliate, intimidate, suspend and try to fire me. I don't work for the State Department (thank God), so my courage is false. Otepka's is true. The U.S. Government is fortunate indeed, to have Otto Otepka on its payroll. I intend to do all in my power, not only to make certain he stays there, but to assure that he remains in the Office of Division of Evaluations of the State Department.

Suggest you read the attached article and familiarize yourself with the appalling conditions that exist in the Security Section of the State Department under your very able direction. Did you approve of these transfers? Why?

Let us not lose sight of this one important fact-- "whether you are aware of these conditions or not, the overall responsibility to take corrective action is yours." Both I, and I'm sure the Senators on my distribution list, would like

to know when and how you intend to clean up the mess in the Security Section of the State Department that was initiated by your subordinates.

Sincerely,



b6
b7c

P.S. I not only expect answers to the questions in my letter of June 25 to Mr. Crockett, but this one to you also. Further-- I believe it would be appropriate if a copy of all the answers were mailed to the Senators named below. Don't you agree?

cc: Senator Thomas J. Dodd
Senator Everett Dirksen
Senator Kenneth Keating
Senator Edward V. Long
Senator John McClellan
Senator Wayne Morse
Senator Strom Thurmond
Senator John J. Williams

No Reply

Diplomatic Secrets in Jeopardy?

State Department Security Evaluators 'Transferred'

Washington — Chaos has overtaken the security section of the State Department. The guard over America's diplomatic secrets, never especially effective in the department, has now broken down. This situation has grown as a direct consequence of the attempted discharge of Otto F. Otepka, a security chief, for telling the truth when questioned by senators.



Miss Roosevelt

Seven of the most experienced, knowledgeable men who worked under Otepka have been transferred or demoted to other posts where they are now doing ineffectual work or work unconnected with direct security matters. They had defended Otepka and refused to cooperate in the department's campaign of harassment which ran the gamut from smear to wiretap and shadowing.

'Fallen Six'

Six of these men were security evaluators. They are Raymond Loughton, an attorney who was formerly assistant director for security in the office of the Secretary of Defense; Francis Gardner, a former FBI headquarters supervisory official; Edwin Burkhardt, who worked with Otepka on the John Stewart Service case; John R. Norpel, Jr., an ex-FBI agent with 17 years of experience in government; Harry Hite, an attorney who was co-evaluator in the William Wieland case; and Billy N. Hughes, a veteran of 16 years in the security field.

Transferred with them is Howard J. Shea, formerly a supervisor in the division of investigations for security, who has been with department for 20 years. Shea formerly worked under Otepka before he was downgraded from deputy director, Office of Security, to chief of the evaluations division, Office of Security, the last post he has held.

All were well-educated, highly-motivated men whose

By EDITH K. ROOSEVELT

knowledge of the Communist conspiracy can hardly be duplicated in any area of the government. Only 11 security evaluators are left in Otepka's old section to oversee security for 13,000 State Department employees domestically plus a turnover of 3,000 new applicants annually in this country.

Morale Is Low

Understandably, morale in the department's security section is at an all-time low. The treatment given Otepka and his colleagues is a warning to the new men as well as those who remain that advancement and even tenure depends on the appraisal of the records of security risks with a blind eye.

Rumors are circulating that hiring of civil service officers may be discontinued. Under the policy being considered only foreign service staff employees and reserve foreign service officers would be hired since these men must serve at the pleasure of the Secretary of state and have no experience in security matters.

Under these circumstances, security men would be doubly vulnerable to pressure since they lack civil service protection and the experience of Otepka shows that even that is not enough.

Material Removed

Even more alarming is the fact that the sensitive security material in the 12 file cabinets and two-drawer safe in Room 3333A, Otepka's old room in the State Department, was impounded last June 27. Some of this material may have been physically removed or actually destroyed. Last April, Otepka's safe was broken into and rifled and material of an embarrassing nature to key department officials was removed.

The files contained documented studies and working files prepared by Otepka and several of his predecessors in the division of evaluations. They included records discovered by Otepka in 1957 and 1958 in the basement of the State Department Annex, 515 22d st, N.W., in a state of complete disorganization.

Examples of material labeled "surplus" and slated for destruction were details about Communist infiltration in the Department in the 1940's prepared by Otepka and previous evaluators. There also were comprehensive studies compiled by congressional committees relative to department security programs. Some of the records dealt with the department's role in the employment of highly questionable persons, including subversives in the United Nations.

It is imperative that these records be preserved. Without them any possibility of achieving security in the State Department in the foreseeable future would be difficult, if not impossible.

This situation can only pave the way to the espionage which occurred in World War II when the open sesame was "We're allies." Today, the laxity is being justified in the name of "coexistence."

Laxity 'Justified'

The bulk of the dangerous element in the State Department are not Communists. They are the fake "liberals" who have no sense of security and see no harm in having Communists as friends. Careless talk and indiscreet associations led to policy subversion in our relations with China and Cuba. Today, it is our policies in Laos, Viet Nam and Panama which are repeating the formula for diversion and paralysis. Tomorrow, it could be Taiwan and the Philippines which would fall in Red hands without looking as though they were pushed.

After a year, the State Department has not even seen fit to grant Otepka a hearing on his case. He wants his old job. Instead, his superiors have "detailed" him to a small cubbyhole and assigned him to write a history of congressional attitudes towards the department's security program.

It remains to be seen what the last chapter of Otepka's history will be. The Senate Internal Security subcommittee has not yet released Otepka's testimony. The politics involved in an election year have priority, although the actual physical survival of the United States depends on this issue.

WHO'S RESPONSIBLE FOR THIS MESS?

OCT - 1 1964

Dear President Johnson:

Please forgive me for annoying you again about the Otepka Case. But this man's honor and integrity are at stake. What is more important to any man? I feel certain that if you don't intercede and help him, he will be railroaded out of the State Department.

In order to put the issue in proper perspective, you may well ask what my motive is-- why do I choose to become involved? To phrase it simply, "to see that justice is done." I have no axe to grind with any agency of the Federal Government. I belong to no organization or society interested in this case, and I don't know Otto Otepka, even remotely. I do know that the methods used to drum up petty charges against this man were (if you will permit me to use the word) revolting.

I am appalled to think that high State Department officials would stoop to such low levels in order to get rid of a long-honest, trusted civil servant like Otto Otepka. Worse still (after eleven months) the State Department has refused to permit this man the hearing he's entitled to. What are they afraid of?

Now Sir, if you will permit me, I should like to write about the background of this man they call Otto Otepka.

He has been an employee of the U.S. Government for twenty-seven years. He came to the Department of State as a security officer in 1953. His efficiency ratings at the Civil Service Commission for the years 1948-1953 were all "excellent". The highest ratings attainable under the system then in effect. During his service in the Department of State all of his efficiency reports have been highly favorable. For example, for the year 1959-1960, when he served as Deputy Director of the Office of Security, his efficiency report contained the following comment by the Director of that office, Mr. Boswell:

"He has had long experience with and has acquired an extremely broad knowledge of laws, regulations, rules, criteria, and procedures in the field of Personnel Security. He is knowledgeable of Communism and of its subversive efforts in the United States. To this he adds perspective, balance and good judgement, presenting his recommendations and decisions in clear, well-reasoned and meticulously drafted documents."

In April 1958 he received a Meritorious Service Award signed by Secretary of State John Foster Dulles for sustained meritorious accomplishment in the discharge of assigned duties. Justification for this award contained the following statement:

"He has shown himself consistently to be capable of sound independent judgement, creative work, and the acceptance of unusual responsibility."

Now I ask you Sir, could a man with such an outstanding record, with over twenty-seven years of loyal service to the government be guilty of so flimsy a charge as "conduct unbecoming an officer of the State Department"?

When his superiors lied under oath to the sub-committee on Internal Security, what choice had he? A man must first protect his honor and integrity, in spite of procedures. There is no doubt in my mind that under similar circumstances I would have done the same thing.

Please Note: Mr. Otepka has received no efficiency report since September 1960, although regulations require that each employee receive such a report annually. Why? What type of conduct do you call this? Is this not a violation of procedures? Why isn't the responsible party taken to task for this? Are there two sets of standards in the State Department?

From Mr. Otepka's outstanding record under several administrations, doesn't it strike you as unusual that he hasn't been considered for a promotion since 1960? What force or forces have been conspiring to get this man? His record certainly indicates that he could handle a position with much greater responsibility. I'm certain that should you choose to ask this question of the State Department, they would be unable to give you a satisfactory answer.

If Otepka made a mistake by flouting procedures and conducted himself in a manner unbecoming an officer of the State Department, he did so for the good of his country, and not for any personal gain. This Sir, is not an opinion, but a part of the record. The very fact that his superiors perjured themselves before the sub-committee on Internal Security is proof positive of Otepka's innocence. The very fact that the State Department doesn't permit him to have the hearing he's entitled to by law is admission that they don't have a case against this man, and they know it.

If we permit this man to be ousted from Government service for telling the truth, then Sir, our whole way of life and everything good we stand for in this country is in danger. If Otepka is to be charged, then let the charge be to "loyalty to country above and beyond the call of duty". A grave injustice has been done this dedicated civil-servant, only you have the power to undo it.

I bring all this to your attention because I believe it is your responsibility to expose wrongdoing in government. There is enough evidence in this case to indicate that all is not well in the Internal Security Branch of the State Department.

I would appreciate your reading the attached article by Edith Roosevelt. As far as I am concerned, these are the facts. It is noteworthy that the State Department has never denied any of her statements.

I have read the hearings in this case and they confirm my opinion that Otto Otepka is innocent of all charges. In any court of law outside the State Department, Otto Otepka would win his case hands down.

Any man that has the courage of his convictions (like Otepka) and puts loyalty to his country above loyalty to his organization (like Otepka) should be defended by all of us vigorously. Yet the powers that be in the State Department persecute him. Why?

I intend to follow this case very closely and will do all in my power to assure that he is fully exonerated and reinstated. He should be commended for his courage in sacrificing his job by telling the truth. What would any honest man have done under similar circumstances?

I ask you Sir, if there are any sacred cows or untouchables in the State Department who think Otepka is "out of step with the times"? If so, why don't they stand up to be counted? Who in the State Department is willing to be quoted and say "we have no security risks and he knows it?"

It is not enough to reinstate Otepka. The individual or individuals who have something to hide and are out to get Otepka must be exposed at all costs. This Sir, is where the real problem lies, to weed out those who would seek to destroy our country from within.

In short Sir, I know you inherited this mess. But I hope you find time in the near future to read the hearings on the Otepka Case to date. Many questions remain to be asked of the State Department. They can ignore me, I know they can't ignore you.

For example:

1. A good starting point would be to find out who sanctioned the actions of John F. Reilly, David I. Belisle, and Elmer Dewey Hill? It is difficult for me to believe they acted on their own initiative.
2. Is it true that John F. Reilly, who was instrumental in bringing the charges against Otepka, received a grade raise after the charges were filed? If so, who approved this raise and can he justify same?
3. Is it true that other prospective witnesses from the State Department were summoned to the State Department's legal division and instructed, on pain of losing their jobs, to give no testimony in Congress on the "Otepka Case"? If so, isn't this a form of blackmail?
4. Is it true that Otto Otepka has been ordered not to testify before Congress on anything concerning Secretary of State Rusk's determination to fire him? If so, by what authority, written or otherwise, are they permitted to do this?
5. What takes precedence in the State Department-- loyalty to one's organization or loyalty to one's country?

I have no fear of the State Department Sir, and I'll tell you why-- they can't rifle my files, tap my telephone, examine my burn bag, harass, intimidate, suspend, and try to fire me. I don't work for the State Department so my courage is in effect, false. Otepka's is real.

I hope and pray you not only reinstate this loyal, dedicated and courageous civil servant, but give him a promotion for a job well-done. He deserves it.

The U.S. Government is fortunate indeed, and should be proud to have Mr. Otto Otepka as an employee.

I hope after you have evaluated all the evidence in this case, and make a judgement, you share my view.

Thank you for your time and patience.

Sincerely,



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b7C

DEPUTY UNDER SECRETARY OF STATE
FOR ADMINISTRATION
WASHINGTON

JUL 6 1964

Dear

I wish to acknowledge receipt of your letter of June 25 and to assure you that your questions will be answered within the next few days.

Sincerely yours,


William J. Crockett

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b7C

*CROCKETT CHANGED HIS MIND!
I wonder why?*

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

JUN 25 1964



b6
b7C

Mr. William J. Crockett
Deputy Undersecretary for Administration
Department of State
Washington 25, D. C.

Dear Mr. Crockett:

To what extremes must I resort, in order to obtain some information from the State Department?

On June 12, I wrote to Mr. Marvin Gentile, Chief of Security, regarding Mr. Otto Otepka. I felt that since Mr. Gentile took over Mr. Reilly's position and is supposedly Mr. Otepka's boss, he would be in the best position to answer my questions. To this day I have received no reply!

I am determined to obtain answers to the following questions, regardless of how long it takes or how far I have to go. I would appreciate your assistance in obtaining these answers for me.

1. By what authority, written or otherwise, is the State Department permitted to examine the "burn bags" and "tap telephones" of its employees?
2. What takes precedence in the State Department-- loyalty to one's organization or loyalty to one's country?
3. What action has been taken to prevent this type of scandal from recurring in the State Department again?
4. Who gave the O.K. for Reilly and Hill to tap the phone of Mr. Otepka?
5. When will the Task Force appointed by Mr. Rusk complete their investigation of this case?
6. When will their findings be made available to the public, and how do I obtain a copy of this report?
7. When will Mr. Rusk obtain all this evidence and make a decision in this case?

8. When will those responsible for sanctioning the actions of Reilly and Hill be exposed?
9. When will Mr. Otepka be fully reinstated?
10. I would appreciate an official transcript of the Department's charges against Mr. Otepka. If I can't have this I wish to know the reason why.

NOTE: Please don't forward me any form letters you have prepared on this subject. I have several in my possession from a Mr. Arthur Waterman, and they don't answer any of my questions.

I expect straight forward answers and not double talk. This whole case makes the State Department look bad, and, in my opinion, you people would like to see it DIE A SLOW DEATH. I, for one, don't intend to let you do so, and can only hope you are receiving letters from others who are as concerned about this case as I am.

If you choose to evade the questions asked, or ignore this letter, I shall go further!

Would appreciate early reply.

Sincerely,

[Redacted Signature]

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b7c

No Reply



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D.C.

April 30, 1964



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b7C

Dear 

Your letter of April 26th, with enclosure, has been received.

Wire tapping is utilized by the FBI on an extremely limited basis only in instances where there is a kidnaping, where human life may be at stake through extortion, or instances where the internal security of our country is involved. No one in the FBI has the authority to authorize a wire tap and the Attorney General personally approves each of them.

It would not be appropriate for me to comment further in view of the confidential nature of FBI files pursuant to regulations of the Department of Justice. Also, the desirability or undesirability of wire tapping is a question which has been raised in Congress as a legislative matter and I have always refrained from injecting the FBI or myself into situations relating to legislation.

Enclosed is some literature I hope will be of interest to you.

Sincerely yours,

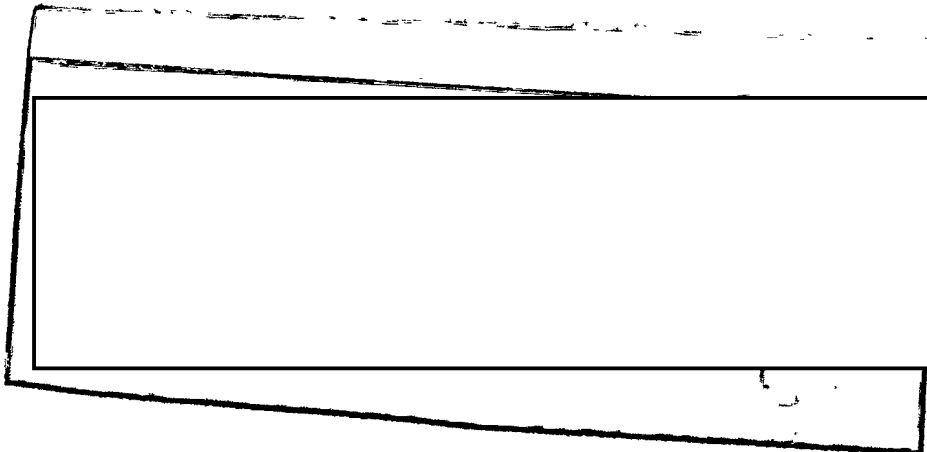

John Edgar Hoover
Director

Enclosures (3)

Dear Mr Hoover:

Would You Be Kind
ENOUGH TO CONFIRM RECEIPT
OF THIS DATA?

THANK YOU



b6
b7C

'Otepka Case' as a Campaign Issue

3/10-64

By RICHARD WILSON

Washington—It is a strange world, this world of internal security, and nowhere stranger than in the Department of State.

A suspended security officer, Otto Otepka, has been ordered not to testify before Congress on anything concerning Secretary of State Rusk's determination to



R. Wilson

fire him. Other prospective witnesses from the State Department were summoned to its legal division and instructed, on pain of losing their jobs, to give no testimony in Congress on "the Otepka case."

Otepka is *persona non grata* in the department he has served for many years for telling the truth to the Internal Security subcommittee of the Senate on laxness in State Department procedures. Some kind of a hearing procedure is under way in the department on Otepka's administrative sins, which consist largely in supplying the Senate committee with three documents to prove that he was telling the truth and one that his superiors had lied.

Rusk Criticized

Secretary Rusk feels that he can't maintain order around the State Department if subordinate officials are to run up to Capitol Hill freely with classi-

fication. The normal Security Committee isn't as much interested in the niceties of administrative procedure as in showing that, under Rusk, security control practices have become more "soft" in a reaction from the McCarthy era that has been carried too far.

Rusk's own reaction to this criticism has been unlike him. His actions in the Otepka case, particularly the recent gag, have been labelled by Republican congressmen as "facist" and "dictatorial."

Along with the Otepka gag, it also develops that one William Wieland, former Latin American expert whose reports on Fidel Castro were deemed by Otepka to be misleading, may be cleared by Rusk on us of these reports. As one-time chief security evaluator of the department, Otepka ruled that Wieland should be ousted. Rusk's office thought otherwise and prepared to reassign Wieland to a sensitive spot in Germany when FBI chief J. Edgar Hoover intervened with advice to the contrary. Thereupon Wieland was given a job shuffling papers here in Washington.

The complaint against Wieland was that although voluminous reports were made in the late 1950s on Castro's Communist connections, these reports got lost in the Office of Caribbean and Mexican Affairs which Wieland headed. President Eisenhower, it is reported, accidentally found out at a White House social event that there was some doubt about Castro as a people's leader, and his inquiries on this point disclosed that FBI Director Hoover's reports hadn't gotten through to the highest levels, which is not without precedent.

'The Wieland Case'

Last March, other security officials—not Otepka, this time, for he had been shelved for six months—took up "the Wieland case" again. They claimed Wieland hadn't told the full story on his contacts with Castro and therefore should be dropped for lack of

frankness. Two of the men who made these new recommendations were promptly transferred out of the State Department security division.

A special three-man panel of persons outside the department was named to consider the Wieland case. Their findings have now gone to Rusk and it is entirely up to him to reinstate Wieland to full standing as a foreign service officer, or fire him.

In all this wheels-within-wheels business, there is fine material for the presidential campaign. If Rusk gets rid of Otepka and reinstates Wieland, this will be hailed by the Republican opposition as final proof that the department is populated by "soft-heads" who are dupes and patsies for the kind of pseudo-liberalism sometimes affected by incipient or real communists.

It is a hard decision fraught with political dangers for Secretary Rusk in a presidential campaign wherein a leading issue is co-existence with the communist world or getting tougher and harder to push around.

Old Story

However he decides the Otepka and Wieland issues, the cold war as fought out in Foggy Bottom is like the cold war everywhere. It is unpleasant, and the good guys play dirty just like the bad guys. Otepka has had his share for cooperating with the Senate committee—tapped telephones, ostracism, and now the new gag rule.

It is the old story. If you are a government employee and see things going wrong, forget it and always, always go by the book. We can stand a little of this where plain old-fashioned venality is involved. But we can't stand very much when the issue is the judgment and reliability of men influencing or executing foreign policy.

Truth as an Issue in Washington

Sen. McClellan Cites Example in Fine Art of Lying

Washington — Gentlemanly protocol observed in the Senate and House bars use of the blunt, Anglo-Saxon word "liar." The words with which

legislators characterize false testimony furnished them in recent months by federal officials include "misstatements," "inconsistencies," "exaggerations" and "discrepancies." The public does not observe such niceties.

The unprecedented fact is that in just the past month, the Congress has released four documented publications which reveal that some of the highest officials in our State Department and Pentagon flatly lied. In an era where every device is used to "manage" the news, the American people should send for these publications and study the record for themselves.

These are not the little white lies which are told to smooth over human relationships. One case involves our defense pos-

By EDITH KERMIT ROOSEVELT



ture in which "no plans exist today for the future utilization of nuclear power" by the U. S. Navy while "our potential enemies continue to improve their capabilities over, under and on the sea." The misinformation also involves virtual abandonment of any precise security program in the State Department.

Verse and Chapter

The first publication mentioned above, a unanimous report put out by the Joint Committee on Atomic Energy of the Congress, is entitled "Nuclear Propulsion for Naval Surface Vessels."

The other three, publications by the Senate Internal Security subcommittee, are entitled "State Department Security." They consist of the testimonies of David I. Belisle, John F. Reilly and Elmer Dewey Hill, respectively.

On the record, these three men gave, in the words of Rep. Jack Richard Miller (R-Iowa), "false and misleading" testimony—in other words, they lied under oath—concerning

the use of listening devices on the telephone of Otto F. Otepka and the recording of some conversations. The wiretap was an admitted attempt "to get Otepka," a State Department employe considered guilty, in Reilly's words, of "violating loyalty to one's organization."

'Inaccurate' Letters

Hill's testimony revealed that on Nov. 5, 1963, he and Reilly and Belisle wrote, in the words of Rep. H. R. Gross (R-Iowa), "inaccurate" letters in the State Department's legal office.

The correspondence was approved by Secretary of State Rusk, the testimony revealed.

Sen. John L. McClellan (D-Ark) described the fine art of lying when he asked indignantly of Reilly:

"Is the Congress (congressional committees) now to assume that when we have a State Department employe down here, we have got to cross-examine him up and down, crosswise, and otherwise in order to get the truth out of him, because here is an example of how they will withhold and how technical they will be when they appear before a senatorial committee?"

WHY?

1 - Sullivan
1 - Wannall
1 - Belmont
1 - Mohr
1 - Evans
1 - Wacke

8/20/63

W. C. Sullivan

W. R. Wannall

1 - DeLoach
1 - Egan
1 - Mrs. Whalen
(634 RB)

**SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY**

On 8/12/63 Otto F. Otepka, Chief, Division of Evaluations, Department of State, testified before the Senate Internal Security Subcommittee (SISS) in Executive Session. A copy of the transcript is attached. (We are currently investigating Otepka for violation of espionage statutes on charge of furnishing SISS classified documents from State.) Included in Otepka's testimony was the following information:

Otepka did not receive efficiency reports for 1961 and 1962 although he had brought this matter to the attention of his superior, John F. Reilly, Deputy Assistant Secretary for Security, Department of State. Otepka placed on record nine letters of commendation received since 1957 at State.

At present he has been assigned by Reilly to prepare guidelines for evaluators and to make recommendations for the revision of the Office of Security handbook. These duties effectively took him from his job as Chief of the Division of Evaluations. Reilly took from him all the powers and duties of that job; modified security clearance; advised him he would not be permitted access to classified data; ordered the combinations of Otepka's safe changed; removed Otepka's name from Otepka's door and internal directories; ordered other employees not to furnish Otepka information pertaining to security cases being handled at State; and Otepka from files unless they were first cleared through Reilly's office.

Otepka testified that the SISS had furnished him a copy of Reilly's testimony previously given the SISS and that to counteract Reilly's statements with respect to him, he (Otepka) had prepared a document with thirteen exhibits which he furnished to the SISS; that the exhibits were intended to be used to refresh Otepka's recollection while testifying; and that only one of the exhibits was classified (Confidential). It is noted that in a signed statement furnished Bureau Agents 8/15/63 Otepka admitted giving two classified documents to the SISS.

Enclosure

① - 65-68266 (Otepka)

SEP 5 1963
(11)

65-68266 -
NOT RECORDED

46 SEP 4 1963

Memorandum to Mr. Sullivan

**RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY**

Otepka testified he was aware of the classified nature of the documents John Stewart Service gave to Phillip Jaffe of "Amerasia" and the fact that not only Service but also Jaffe were furnished the best possible treatment by State to the extent of allowing both of them to retire honorably from State under the accelerated retirement program for Foreign Service Officers. Otepka commented, however, that in contrast he was being treated most harshly by State for having given "information on demands to a Committee of the U. S. Senate."

Otepka stated he was the last career man with "hard" anti-communist feelings working for State in the security field; that procommunists such as John Paton Davies and Oliver Edmund Clubb were being considered for reinstatement at State.

All positions at State, according to Otepka, are sensitive and the minimum requirement for initial appointment or continued appointment is a full-field investigation. During the past two years, however, there has been an inordinate use of employee clearance appointments with investigation not completed prior to appointment. Thorough screening of clerical personnel takes place and if a person of this calibre was assigned to infiltrate State, there would be little difficulty in accomplishing the task.

In 1957 Otepka prepared a study which identified 800 persons employed at State who were "serious derogatory security cases," many of whom were employed in the Bureau of Intelligence and Research. Otepka estimated that 500 of the 800 are still employed at State and all have had favorable security determinations. Also in 1957 a list was prepared in the Bureau of Security and Consular Affairs which included approximately 200 of the worst of the 800 set forth on the other list. Otepka stated that at least 75 per cent of these 200 are still employed at State. Presiding Chairman Senator Hugh Scott (R - Pennsylvania) instructed Jay Sourwine, Chief Counsel, SISS, to obtain a copy of this list.

Otepka in recommending [redacted] (now Administrator of the Bureau of Security and Consular Affairs) for a position at State raised the question with respect to his eligibility for access to certain types of classified information but he was overruled. Although [redacted] has admitted association with espionage agents of a foreign nation, State could not hold up his clearance since the case has previously been adjudicated in favor of [redacted] by the Civil Commission.

For information.

1 - Wacks

Mr. J. Edgar Yeagley
Assistant Attorney General

August 28, 1963

Director, FBI

OTTO F. STEPKA
ESPIONAGE - X

Reference is made to our letter dated August 21, 1963, with which you were furnished a copy of the signed statement furnished this Bureau by the subject.

There is enclosed a copy of the report of Special Agent Robert C. Byrnes dated August 23, 1963, at Washington, D. C. We have requested the Department of State to advise whether the classified documents which subject furnished Mr. Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee, are actually classified within the meaning of Executive Order 10501 and, if so, whether they may be declassified in the event of prosecution. You will be kept advised of developments.

Enclosure

65-68266

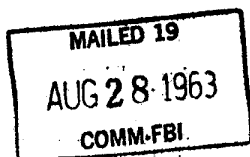
JFW:vms
(4)

REC-19

EX 104

15-68266-24
19 AUG 29 1963

NOTE: The subject is Chief, Division of Evaluations, Office of Security, Department of State, and has admitted furnishing State classified documents to Sourwine. When information concerning classification and declassification is furnished by State, the facts in this matter will be presented to the Internal Security Division for an opinion as to prosecution and the Department will be requested to advise whether Sourwine should be reinterviewed, it being noted that prior to our interview with the subject Sourwine denied to us that subject had furnished any State classified documents to him.



FBI

Date: 8-29-63

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESPIONAGE - X

Rerep SA ROBERT C. BYRNES, dated 8-23-63, at
WFO.

Enclosed for the Bureau are five copies of a
letterhead memorandum reflecting information received
from USDS regarding the classification of documents
involved in this investigation as well as information as
to the proprietary interest of USDS in the material.

It is noted that USDS review indicated that
Item #2, Exhibit #2, contains a comment to the effect that
this document may be declassified subject to FBI approval
of declassification of information regarding "GROSS" and
[REDACTED] A copy of this exhibit is being furnished
the Bureau for its consideration and review as to
declassification.

The Bureau is requested to obtain a prosecutive
opinion from the Justice Department regarding this investigation.

The attached memorandum is being classified
"CONFIDENTIAL" in view of references to communications
of USDS which bear a like classification.

3 - Bureau (Enc 6)
1 - WFO

RCB:ctw
(4)

17 AUG 30 1963

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

b6
b7c

F B I

Date: 9/3/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESP - X

ReWFOairtel 8/29/63.

Enclosed for the Bureau are two copies each of a routing slip from [redacted] to "OTTO" (subject) and an memorandum to [redacted] from JOHN F. REILLY regarding the subject "Processing of Appointments of Members of the Advisory Committee on International Organization Staffing", which is classified "Confidential." This material is described on pages three and four of referenced WFO airtel as Exhibit 3, Item 3.

b6
b7C3-Bureau (Enc 2)
1-WFORCB:ecs
(4)AIRTEL

ENCLOSURE

cc 72 enclosure
to Yang by
letter 7/9/63

REC-128

65-68266-26
17 SEP 3 1963

EX-120

CC - WFO

Approved: 14

Special Agent in Charge

Sent _____ M Per _____

62 SEP 12 1963

NAT. SEC.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: August 21, 1963

FROM : C. D. DeLoach

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS), furnished me in confidence on August 20, 1963, a copy of a letter that Secretary of State Rusk had sent to Senator Dodd as of August 13, 1963. This letter is in connection with the hearings which the SISS has held relative to State Department security matters. We are currently investigating the captioned individual as a result of allegations made by the State Department concerning his furnishing Sourwine classified information.

The attached letter which Sourwine furnished to me reflects a request from Secretary Rusk to appear before the SISS and indicates that he will discuss among other things the ground rules for the subcommittee's hearings in connection with the Bureau of Security and Consular Affairs and the Office of Security of the Department of State.

Sourwine pointed out that the most pertinent part of the letter was the statement by Secretary Rusk that he had asked all subordinate State Department personnel not to appear before the SISS until he personally had made an appearance. The Secretary also stated that he would appreciate the opportunity to review Otepka's testimony before the SISS before he, the Secretary, made his appearance.

Sourwine is of the opinion that this is a direct attempt to "muzzle" the SISS. He stated that the Senatorial members of his subcommittee were very angry over the actions of the Secretary of State and that this entire matter would undoubtedly come to a head very soon. He also stated it was probably just a matter of time until the press got wind of this matter.

In view of the above, it is, of course, imperative that any necessary responsibilities on our part be completed as rapidly as possible. The Bureau at the present time is awaiting the action of the Department as to whether Sourwine should be interviewed in connection with admissions by Otepka that he furnished Sourwine classified information.

ACTION: For record purposes.

Enclosure

1 - Mr. Belmont

1 - Mr. Sullivan

1 - Mr. M. A. Jones XEROX

CDD:ejr.(5) SEP 9 1963

SEP 16 1963

REC-45 65-68266-22
 SEP 3 1963
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED #236,334
 DATE 6/16/80 BY SP-7/SP-7

UNRECORDED COPY FILED IN 62-88217-62-39749

COPY

COPY

*Drafted by
Dep. Undersec. NY Corbett*

LETTER FROM THE SECRETARY OF STATE TO SENATOR DODD, DELIVERED
TUESDAY, AUGUST 13, 1963

"Dear Senator Dodd:

"Upon my return to Washington on Sunday I learned of the informal inquiry received by the Department from Mr. Sourwine requesting a number of State Department personnel to hold themselves in readiness to appear before your Subcommittee in connection with the pending review of the Bureau of Security and Consular Affairs and the Office of Security.

"In view of my over-all responsibility for the direction of the Department of State, I respectfully request the opportunity to appear personally before the full Subcommittee and would hope that all members could be present. I would hope to discuss among other things the ground rules for the Subcommittee's hearings on the above-mentioned Office and Bureau.

"Until I have an opportunity to discuss this matter with your Subcommittee, I have asked all subordinate State Department personnel not to appear as requested by Mr. Sourwine. I would also appreciate the opportunity to review Mr. Otepka's testimony before I make my appearance.

"It is my sincere hope that your Subcommittee and the Department can establish a relationship which will make it possible for us to work together harmoniously and effectively."

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/14/80 BY SP-10/41
236,334

65-68266-27

ENCLOSURE

~~CONFIDENTIAL~~

Mr. J. Walter Yeagley
Assistant Attorney General

September 10, 1963

Director, FBI

OTTO F. STEPKA
ESPIONAGE - X

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach
1 - Sullivan
1 - Wannall
1 - Wacks

Reference is made to this Bureau's letter dated August 28, 1963, in which you were advised that the Department of State had been requested to advise whether the classified documents involved in this case can be declassified in the event of prosecution.

There is enclosed a copy of a memorandum dated September 5, 1963, at Washington, D. C., in which is set out information concerning the classification and declassification of the documents involved in this case, which the subject has admitted giving to Mr. Jay Sourwine, Chief Counsel, Senate Subcommittee on Internal Security. Copies of the two classified documents are enclosed, as well as a copy of the Department of State Interdepartmental Reference attached to the undated classified document.

Since logical investigation has been completed in this case, it is requested that we be advised whether prosecution is contemplated.

For your information Mr. John J. Reilly, Deputy Assistant Secretary for Security, Department of State, on September 4, 1963, advised that the subject was departing on a vacation effective September 5, 1963, for two weeks. Reilly stated that when subject returns, a written statement of charges will be served on him. According to Reilly, no administrative action has been taken against the subject.

This letter becomes unclassified upon removal of the classified enclosures.

65-68266

Enclosures - 4

MAILED 25

SEP 10 1963

COMM-FBI

~~CONFIDENTIAL~~

NOTE: See cover memorandum W. R. Wannall to W. C. Sullivan, 9/9/63, same caption, prepared by JFW:pal.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holloman _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

SEP 10 4 05 PM '63
REC'D-READING ROOM
FBI

REC-43

19 SEP 11 1963

REC-43

F B I

Date: 9/4/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (65-9038) (P)

OTTO F. OTEPKA
ESP-X

On 9/4/63, [redacted] and ROBERT F. MC CARTHY, 40217
Security Office, U. S. Department of State, furnished a copy
of Page 15357 of the Congressional Record - Senate dated
9/3/63, relating to comments of Senator TOWER of Texas,
regarding subject. A copy of the article is enclosed for the
Bureau.

3-Bureau (Enc. 1)
1-WFO

RCB:mbb
(4)

AIRTEL

4 xerox copies made
9-6-63 JFW/pw

cc 7 enclosure
to 6 to you
By JFW
9/6/63

REG-105

EX 104

65-68266-29

SEP 5 1963

ANAT. DIV. SEC.
9/10/63

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

b6
b7c

1963

9/2/63
CONGRESSIONAL RECORD — SENATE

15357

Another reason for the great problems in the chicken industry is that Southern States have in the last few years subsidized chicken farms and farming in areas where Negro help resulted in low labor costs and where the weather or climate involved minimum trouble and costs, and finally where southern poultry industry dumped on the chicken and egg markets produce for less than costs or at lower cost than the regular non-subsidized chicken industry could produce where labor was higher and climate colder.

It is therefore doubly ridiculous to see the U.S. Government embarking on tariff reprisals against the remainder of the free world and NATO in order to protect an industry which is suffering from this same Government's mistakes. Not even the increased exports prior to the protective tariff in Europe against the American poultry industry had done much good to the depressed situation in the poultry industry. In other words, notwithstanding the chicken lobby or the complaints against restrictions on exports of poultry and eggs, the poultry industry in the United States will not be greatly helped even if there was unrestricted exportation, for American mass production methods are now well understood throughout the world and in a very short period competition in an industry involving such small margins would be too great to assimilate the cost of shipping.

So not only are increased tariffs or reprisal methods by the United States against the EEC dangerous and unsound, but the alleged reason for doing this is unsound and will not be the cure for a sick poultry industry in the United States of America.

SENATOR WILLIAMS OF NEW JERSEY—EFFECTIVE LEADER

Mr. BARTLETT. Mr. President, on August 14 the Senate passed S. 1321, a bill to establish a National Service Corps. The legislation provides for a program of assistance and understanding for the less fortunate in this country. This is a proposal to provide a means by which Americans of all ages and talents may offer their skills and friendship to those less fortunate.

Comparison has been made, and perhaps aptly, between S. 1321 and the bill which set up the Peace Corps. Assuredly there are similarities. But there are differences too, and many. One which is striking and strange to me is the seeming reluctance of the Congress to initiate on a very modest scale a means whereby Federal guidance may be given so that Americans who want to assist other Americans but who do not know quite how to go about it may find the way open to them. The Peace Corps proposal which has worked out so splendidly well, had much less legislative difficulty.

It will be recalled that S. 1321 was passed by the Senate by a very narrow margin.

It is my belief that it never would have passed at all had it not been for the dedication, the hard work and the great skill of the Senator from New Jersey [Mr. WILLIAMS].

Chairman of the Subcommittee on Labor, the Senator from New Jersey introduced the bill in April and decided over the extended hearings which followed. Testimony was taken from many witnesses. The views of all were sought. The measure was re-drafted and improved before being re-

ported to the Senate. The Senator from New Jersey [Mr. WILLIAMS] was floor manager of S. 1321. In that capacity he demonstrated rare parliamentary skill. He fought with courage and sometimes almost alone while the bill was being debated before the Senate. For his effectiveness, for his persistence, for his concern for people, his desire to improve their lot in life, the Senator from New Jersey deserves the thanks of all Americans.

SECURITY RISKS IN "ACCOMMODATION" POLICY TOWARD SOVIET RUSSIA

Mr. TOWER. Mr. President, the Manchester (N.H.) Union Leader reported on August 26, 1963, that "Vital information is being withheld from the public about the part security risks have played in drafting and executing the administration's 'accommodation' policy with Soviet Russia until after test ban hearings in the Senate."

This news story asserts that Mr. Otto Otepka, the State Department officer who had a lot to do with sending Irving Scarbeck to jail and who investigated William Wieland, has been removed from security operations. This, and other assertions, implications, and overtones of this intensely fascinating news story warrant further investigation by appropriate and responsible officials.

Mr. President, I ask unanimous consent to have this news story printed in the Record following my remarks, and I respectfully invite the attention of my colleagues to it.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Manchester (N.H.) Union Leader, Aug. 26, 1963]

CLAIM DATA ON SECURITY RISKS IS BEING WITHHELD

(By Don Browne)

WASHINGTON.—Vital information is being withheld from the public about the part security risks have played in drafting and executing the administration's "accommodation" policy with Soviet Russia until after test ban hearings in the Senate.

State Department sources reveal that testimony about these risks by Otto Otepka, a civil service officer for many years in charge of all personnel appraisal in State is being quarantined by a series of maneuvers by State Secretary Dean Rusk. Otepka was responsible for sending foreign service officer Irving C. Scarbeck to jail for passing U.S. secrets to the Soviets, for investigating William Wieland in connection with State's Cuban policy, and other such cases.

With quiet but ruthless efficiency, Otepka has been removed from security operations. His phone has been taken away from him, and he himself has been placed under close observation as a security risk when he thereafter "dumped" what he knew, under subpoena, to the Senate Internal Security Subcommittee.

RUSK SUMMONED

So serious were Otepka's revelations that Rusk was personally and urgently called before the subcommittee. So, too, were a score or more other State Department officials.

State sources now privately disclose that, realizing the disastrous effect all this could have on the fate of the test ban treaty, Rusk has managed to delay his own testi-

mony, thus in turn delaying the release of the Otepka testimony.

Rusk also has obtained a White House order to prevent some 25 key State Department officials from even speaking to members of the subcommittee and their staffs.

DELAY TESTIMONY

At the same time, Rusk has succeeded in getting Senator THOMAS DODD, Democrat, of Connecticut, vice chairman of the Senate Internal Securities Subcommittee, to agree that Rusk does not have to testify earlier than August 30. Seemingly the delay has meshed with desires of subcommittee chairman JAMES EASTLAND, Democrat, of Mississippi, preoccupied with civil rights matters, and with those of Senator DODD himself who is seeking reelection.

The effect of this agreement is to put off Rusk's testimony on security violations until after Senate hearings and consideration of the test ban treaty. Thereafter, if another postponement cannot be obtained, the Secretary can call for time to review his own testimony.

SIGNED WAIVER

The State Department Office of Security was completely reorganized after the then Administrator of Security, and Otepka as appraiser, refused to clear Harlan Cleveland as Assistant Secretary of State. Whereupon, Secretary Rusk signed a security waiver to permit Cleveland to go to work.

Cleveland was cleared after this reorganization, along with others newly appointed to high posts in the Department.

HAS TOLD ALL

Now, Otepka, removed from active participation in security by the very risks he has investigated has told all, and this fact has sent tremors through State now involved in making the most important across-the-board deals with Red Russia.

Involved are a Soviet proposed nonaggression pact, a detente to which President Kennedy has agreed to discuss with Soviet Premier Khrushchev. To this unilateral action, West Germany and France strenuously have objected.

The motives behind all these Kennedy administration moves have been cast in doubt by the testimony of Otepka, a security official of the utmost integrity, and who came to the State Department years ago from the Civil Service Commission itself.

BALANCE OF POWERS BETWEEN FEDERAL AND STATE GOVERNMENTS

Mr. TOWER. Mr. President, the Wall Street Journal, on Friday, August 16, 1963, published an exceptionally perceptive article on Federal-State relationships, entitled "Unbalanced Government."

The article, written by Dr. Harley L. Lutz, professor emeritus of public finance at Princeton, is dedicated to the proposition that "the constitutional design of a balance of power between Federal and State Governments should be restored by bringing closer to home many governmental functions and services that have been swept into the Federal orbit."

Dr. Lutz analyzes the "major influences that have promoted the exponential growth of Federal power," pointing out how, commencing in the 1930's, the Federal Government ever increasingly has assumed full or partial responsibility for various services and activities, the performance and financing of which were, and are, within State

ENCLOSURE

F B I

Date: 9/5/63

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

ad Jan
FROM: SAC, WFO (65-9038)(P)
OTTO F. OTEPKA
ESP - X

8
end
11217

ReWFOairtel and LHM 8/29/63.

Enclosed for the Bureau are five copies of a LHM reflecting additional information as to the national defense character of documents involved in this investigation, declassification and that the documents are of value to U. S. Department of State (USDS).

9

Deputy Assistant Secretary JOHN F. REILLY advised 9/4/63, that subject was departing on two weeks annual leave effective 9/5/63. On his return, REILLY intends to serve him with a written statement of charges. No further administrative action has been taken by REILLY up to this point.

The attached LHM is classified "~~Confidential~~," in view of references to USDS documents bearing a like classification.

③ - Bureau (Enc. 5)
1 - WFO

RCB:llr
(4)

AIRTEL

ENCLOSURE
cc to yeager
letter 9/9
SEP 8 1963
65-68266-30
5-8

Approved: *RAH 14* Sent _____ M Per _____
Special Agent in Charge

UNITED STATES GOVERNMENT

RA
Memorandum

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach 1 - Wannall
1 - Sullivan 1 - Wacks

as
Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : W. C. Sullivan

DATE: 9/9/63

FROM : W. R. Wannall

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Since logical investigation has been completed in this case, the Department should be requested to advise whether prosecution is contemplated.

As a result of information received from Mr. John F. Reilly, Deputy Assistant Secretary for Security, Department of State, that Otepkas was furnishing Mr. Jay Sourwine of the Senate Internal Security Subcommittee (SISS) classified and unclassified documents originating at State, we, at the request of the Department, instituted investigation on July 17, 1963. Sourwine denied the allegations; however, the subject admitted giving Sourwine at least 12 documents, two of which were classified "Confidential." Subject stated that in his capacity as Chief, Division of Evaluations, Office of Security, State, he had testified before the SISS as to security practices at State; that subsequently Sourwine told him Reilly's testimony contradicted subject's; and, therefore, subject had given Sourwine State documents to rebut Reilly's testimony in his (subject's) expected reappearance before the SISS.

State has advised that the classified documents involved relate to the national defense; hence, there appears to be a violation of the espionage statutes on the part of the subject as well as Sourwine (Otepkas for furnishing classified documents to Sourwine, and unauthorized person, and Sourwine for retaining them). State has advised that the 12 documents are Government property and of value. Otepkas, therefore, could be in violation of Title 18, Section 641, U. S. Code (for taking Government property for purpose of converting to his own use or to the use of another) and Sourwine may also be in violation for knowingly receiving the Government documents with intent to convert to his own use.

65-68266
Enclosure

JFW:pal
(8)

EX-112 DEC-68

65-68266-31
3 SEP 13 1963

Memorandum W. R. Wannall to W. C. Sullivan
Re: OTTO F. OTEPKA
65-68266

State has advised that with the exception of one sentence obtained from an FBI classified report the data in the two classified State documents can be declassified for purposes of prosecution. The Bureau sentence reads "In 1958 Bang-Jensen asserted Gross was friendly with Alger Hiss." Bang-Jensen was a dismissed United Nations (UN) employee who, subsequent to his dismissal, furnished us much information concerning his suspicions regarding UN employees including data on Ernest Gross. At the time the information was properly classified; however, Bang-Jensen has since died. If the Department desires to prosecute, we will at that time advise the Department whether the sentence can be declassified or whether it should be excised from the five-page State memorandum.

Logical investigation has been completed in this case. In this regard it is noted that on July 15, 1963, Andrew Oehmann, Executive Assistant to the Attorney General (AG) advised Assistant Director Evans that the AG had approved the request for investigation in this case, but that the AG felt it was inadvisable to conduct any interviews with members or employees of the SISS and that the AG did not want to get into any dispute with the SISS.

ACTION:

Enclosed for approval is a letter to the Internal Security Division requesting a prosecutive opinion.

DEM₁₂

WCH

Q

V.

DM

1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

Mr. Evans

September 24, 1963

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

[redacted] Maryland,
who was employed by State from [redacted] as Security Officer
(Technical), testified before this Subcommittee in executive session
9-10-63. Copy of transcript attached.

OTHER NOT UNDER PURVIEW OF FOIA

[redacted] testified that [redacted]

At request of his supervisor [redacted]
wrote memorandum covering this misconduct on part [redacted] However,
John F. Reilly, Deputy Assistant Secretary of State for Security,
subsequently appointed [redacted] Chief of Technical Services at State
and Reilly was reported to have said that he could not let anything
happen to [redacted]

Enc.

- 1 - 65-68266 (Otto F. Otepka)
- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Liaison Section
- 1 - Mr. Wacks, Room 613 RB
- 1 - Mrs. Whalen, Room 634 RB

RHE:pjh
(11)

165-68-68-
NOT RECORDED
191 OCT 1 1963

61 OCT 8 1963

Memorandum to Mr. Evans
RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

OTHER NOT UNDER THE PURVIEW OF FOIA

testified

ACTION:

This memorandum should be routed to the Nationalities Intelligence Section of the Domestic Intelligence Division for its information in connection with Otto F. Stepka who has been the subject of a recent investigation.

Any additional pertinent information in connection with this matter will be called to your attention.

1 - Mr. Wacks

10/14/63

Airtel

To: SAC, WFO (65-9038)

From: Director, FBI (65-68266)

OTTO F. OTEPKA
ESPIONAGE - X

Reurairtel and memorandum both dated 8/29/63.

Department has indicated it would be interested in obtaining any information available regarding transactions in the subject's bank account if such can be obtained on a confidential basis. Institute inquiries in this regard and submit results in letterhead memorandum suitable for dissemination.

JFW:jak *jak*
(4)

NOTE:

Subject is the State Department employee who has admitted furnishing State classified documents to Jay Sourwine, Chief Counsel of the Senate Internal Security Subcommittee. Sourwine, prior to our interview with Otepka, denied receiving any such documents from the subject. Bulet 9/4/63 requested Assistant Attorney General Yeagley for a prosecutive opinion. The Department's purpose in requesting data re subject's bank account is not known.

REC 7

65-6266-32 *wfw/pe*
EX-103

19 OCT 15 1963

MAILED 5

OCT 14 1963

COMM-FBI

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
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Tele. Room _____
Holmes _____
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131 *27*
64 OCT 18 1963 *Shuman*
MAIL ROOM ☐ TELETYPE UNIT ☐

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10-8-63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 17821-17825. Senator Thurmond, (D) South Carolina, spoke concerning action taken by the State Department against Mr. Otto Otepka, Chief of the Security Evaluation Division, as a result of testimony given by Mr. Otepka before the Senate Internal Security Subcommittee. Mr. Thurmond pointed out that he hoped the Senate Judiciary Committee and the Internal Security Subcommittee will press its investigation of this matter. He went on to

state "The entire Senate should support this investigation. State Department's attempted purge of patriots must not be tolerated, and this very attempt is further evidence that a thorough investigation of the entire State Department is in order." Mr. Thurmond included several newspaper articles and editorials with his remarks. An article from the Des Moines Register of October 6th entitled "How Security Clash Led to Aid's Ouster—Otepka Questioned Quick Clearance" written by Clark Mollenhoff, made reference to a panel set up in the State Department to study security program operations. The article stated "Otepka held that the security files of several persons being named to the panel disclosed such questionable activity that they should be given a full FBI investigation, and some should be rejected even before an FBI report." The article also pointed out that Otepka gave testimony before the Senate Subcommittee in connection with the William Wieland and John Steward Service cases. It stated "Otepka's work in back files of the State Department produced much of the information on Wieland's role in Cuba and Wieland's strong support of Cuban Premier Fidel Castro. - - - FBI Director J. Edgar Hoover, who had strong feelings about the Wieland case, went to Attorney General Robert Kennedy. Attorney General Kennedy intervened to block the assignment of Wieland to any post considered as sensitive." An article from the Chicago Tribune of September 29th entitled "Clash Set Off by State Department Officer Firing—Ouster Blamed on Aid to Senate Inquiry" stated "Otepka meanwhile had been put under close surveillance. He retained his title as Chief of the Security Evaluations Office, a \$16,000 post, but was transferred from his office to a cubbyhole. This office was 'bugged' and his phone was tapped. The Federal Bureau of Investigation was called in to interrogate him."

In the original of a memorandum captioned and dated as above, the Congressional Record for MONDAY, 10-7-63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

64 OCT 22 1963

65-68266-

RECORDED
INDEXED
OCT 16 1963

ORIGINAL FILED IN 65-1731-2392

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10-9-63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

OTTO F. OTEPKA

Page 17959. Congressman Snyder, (R) Kentucky, commented on articles which appeared in the Chicago's American newspaper in regard to the State Department's move to oust Otto Otepka, Chief of the Security Evaluation Division. Mr. Snyder included two articles from the above paper entitled "The Allen-Scott Report: Bitter Row on Security Risks" and "A Plot To Bring Hiss Back." The first article comments on reports sent by Mr. Otepka to his superiors in connection with appointments made by Harlan Cleveland, Assistant Secretary of State for International Affairs. The article stated "When the State Department's daisy chain tipped off Cleveland that he was being watched, he retaliated swiftly by having John F. Reilly, Deputy Assistant Secretary for Security, place Otepka under surveillance. This was arranged through the office of Attorney General Robert Kennedy, a personal friend of Reilly."

REC-101

65-68266 33
NOT RECORDED
OCT 21 1963

466 XEROX

OCT 21 1963

In the original of a memorandum captioned and dated as above, the Congressional Record for Tuesday, 10-8-63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original

ORIGINAL FILED IN 66-1731-

1 - Belmont
1 - Mohr
1 - DeLoach
1 - Evans
1 - Sullivan
1 - Wannall
1 - Wacks
October 22, 1963

Mr. J. Walter Yeagley
Assistant Attorney General
Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to your letter dated October 11, 1963, in which you referred to our letter of July 1, 1963, to the Attorney General. You requested to be advised whether Mr. Jay Sourwine's denial of the "allegations made by Mr. Reilly" included a denial of Reilly's allegations that Otepka had transmitted information and documents from the files of the Department of State to Sourwine. On October 18, 1963, an official of this Bureau was in contact with Sourwine. At that time Sourwine advised that he had received no information, documents or material from Otepka representing the Department of State, except strictly in his capacity as Counsel for the Senate Internal Security Subcommittee (SISS) in connection with the hearings being held at that time.

Sourwine explained that Otepka had testified as a witness before the SISS and that in the broadest sense of the word, Otepka had furnished information with respect to his testimony. Sourwine stated that the materials furnished by Otepka had been made a matter of record in the files of the SISS. Sourwine stated he desired to make it clear that the information, documents and materials furnished to him by Otepka were not to him, Sourwine, as a person, but to the contrary, were given strictly to him in his capacity as Counsel for the SISS in connection with the hearings at which Otepka was appearing as an official witness.

We are endeavoring to obtain information concerning transactions in the subject's bank account, as you requested, and you will be furnished pertinent developments.

OCT 23 1963
COMM-FBI

son _____
mont _____ 65-68266
r _____
per _____
ahan _____
ad _____
ouch _____

JFW:pal

NOTE:

See memo W. R. Wannall to Sullivan dated 10/21/63, same caption, and prepared by JFW:pal.

MAIL ROOM ☐ TELETYPE UNIT ☐

5 OCT 24 1963

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

TO : Director,
Federal Bureau of Investigation

DATE: October 11 1963

FROM : J. Walter Yeagley
Assistant Attorney General
Internal Security Division

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to your memorandum of July 1, 1963 to the Attorney General and to your memorandum to me of August 21, 1963, with which you enclosed a copy of a signed statement by the subject, dated August 15, 1963.

In your memorandum of July 1, 1963 you pointed out that Mr. John F. Reilly, Deputy Assistant Secretary of State for Security, advised that the subject was feeding information regarding security practices in the Department of State to Jay Sourwine, Chief, Counsel of the Senate Internal Security Subcommittee. Mr. Reilly also alleged that coverage of the subject's confidential trash had indicated that documents from the files of the Department of State had been given to Sourwine. You advised that, on being contacted by an official of the Bureau on June 28, 1963, Mr. Sourwine "categorically denied the allegations made by Mr. Reilly."

Mr. Otepka admitted, in his signed statement of August 15, 1963, furnishing a number of documents to Mr. Sourwine, including documents from the security office of the Department of State.

In view of the admissions made by the subject we would appreciate knowing whether Mr. Sourwine's denial of the "allegations made by Mr. Reilly" included a denial of Reilly's allegations that Otepka had transmitted information and documents from the files of the Department of State to Sourwine.

In addition, we would be interested in obtaining any information you are able to acquire regarding transactions in the subject's bank account if you believe it possible to obtain such information on a confidential basis.

memo we Wamall
to W.C. Sullivan (ENC)
JFW:PAI 10-15-63
1st AMU V. Otepka

att to Rusk
JFW:PAI
10/12/63

REC-21

65-68266-35

OCT 14 1963

38 OCT 14 1963
EXT. PROC.

Antel to
WFO
10/14/63
JFW

1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - Sullivan
1 - Wannall
1 - Wacks

REC-21 65-68266-35

October 22, 1963

ST-117

BY LIAISON

Honorable Dean Rusk
The Secretary of State
Washington, D. C.

Dear Mr. Rusk:

Reference is made to my letter dated August 16, 1963, and the accompanying memorandum of same date wherein were set out the results of our investigation in the case involving Mr. Otto F. Otepka, Chief, Division of Evaluations, Office of Security, Department of State.

On October 21, 1963, [redacted] of your office, was furnished the following information by Special Agent Orrin H. Bartlett of this Bureau:

b6
b7C

On October 18, 1963, Mr. Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS), advised an official of this Bureau that he had received no information, documents or material from Mr. Otepka, representing the Department of State, except strictly in his capacity as Counsel for the SISS in connection with the hearings being held at that time. Mr. Sourwine explained that Mr. Otepka had testified as a witness before the SISS and that, in the broadest sense of the word, Mr. Otepka had furnished information with respect to his testimony. Mr. Sourwine stated that the materials furnished by Mr. Otepka had been made a matter of record in the files of

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____

65-68266

JFW:pal

(9)

OC (SEE NOTE PAGE TWO)

Honorable Dean Rusk

the SISS. Mr. Sourwine advised that he desired to make it clear that the information, documents and materials furnished to him by Mr. Otepka were not to him, Sourwine, as a person, but were given strictly to him in his capacity as Counsel for the SISS in connection with the hearings at which Otepka was appearing as an official witness.

Sincerely yours,

NOTE:

See cover memorandum W. R. Wannall to W. C. Sullivan, dated 10/21/63, captioned "Otto F. Otepka, Espionage - X," and prepared by JFW:pal.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: **October 18, 1963**

FROM : C. D. DeLoach

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/16/00 BY SP-7 TAP/ML

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Tolson _____
 Belmont ☒
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach ☒
 Evans ☒
 Gale _____
 Rosen _____
 Sullivan ☒
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

While talking with Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS) at 11:20 AM, October 18, 1963, I referred to the captioned matter. Sourwine told me that he wanted to make it clear once again that at no time had Otepka furnished him any FBI information, documents or material. I specifically asked Sourwine at this point whether his statement would also include information, documents or material from the Department of State.

Sourwine told me that he had received no information, documents or material from Otepka, representing the State Department, except strictly in his capacity as Counsel for the SISS in connection with the hearings being held at that time. He explained that Otepka had testified as a witness before his Committee and that in the broadest sense of the word, Otepka had furnished information with respect to his testimony. He stated the materials furnished by Otepka had been made a matter of record in Committee files and that he, Sourwine, was also aware of the fact that Otepka had given a statement to FBI Agents relative to this matter.

Sourwine stated he desired to make it clear once again that the information, documents and materials furnished to him by Otepka was not to him, Sourwine, as a person but to the contrary were given strictly to him in his capacity as Counsel for the SISS in connection with the hearings at which Otepka was appearing as an official witness.

I told Sourwine that his remarks would be made a matter of record. He stated he had no objections to this. He referred to our meeting of June 28, 1963, (reported in my memorandum the same date) at which time he specifically stated that under no circumstances had he received at any time any FBI information, including classified information or materials, from Otepka. I told Sourwine his statement in this regard had already been made a matter of record. 65-68266-36

RECOMMENDATION: For record purposes.

1 - Mr. Tolson
1 - Mr. Belmont
1 - Mr. Sullivan

1 - Mr. Wacks
1 - Mr. M. A. Jones

CDD:ejr
(7)

5 OCT 25 1963

EX-116

Tolson _____
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 Casper _____
 Callahan _____
 Conrad _____
 DeLoach ☒ _____
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ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 6/16/80 BY SP-2 Tg/yr

UPI-59

(RELEASE AT 630 P.M. EDT)

(SECURITY)

WASHINGTON--A TEXAS REPUBLICAN PREDICTED TODAY ANOTHER MAJOR FIGHT OVER SECURITY RISKS IN GOVERNMENT WILL ERUPT BETWEEN CONGRESS AND THE EXECUTIVE BRANCH.

THE FIGHT, ACCORDING TO SEN. JOHN G. TOWER, R-TEX., WILL INVOLVE OTTO OTEPKA, A STATE DEPARTMENT OFFICIAL. ~~THE SENATOR DEMANDED THAT SECRETARY OF STATE DEPARTMENT OFFICIAL.~~ THE SENATOR DEMANDED THAT SECRETARY OF STATE DEAN RUSK CONSENT TO TESTIFY IN THE CASE. HE SAID IF HE DOES NOT, "THE MATTER WILL BE TAKEN BEFORE THE FULL SENATE FOR ACTION."

OTEPKA IS A FORMER SECURITY OFFICER IN THE DEPARTMENT, CHARGED WITH FEEDING THE SENATE INTERNAL SECURITY COMMITTEE CLASSIFIED INFORMATION. HIS MOST RECENT JOB WAS CHIEF OF THE EVALUATION DIVISION.

TOWER SAID IN A STATEMENT THE OTEPKA AFFAIR "MAY WELL BE THE MAJOR ANTI-COMMUNIST CASE OF MANY SESSIONS OF CONGRESS."

THE DEPARTMENT BROUGHT CHARGES AGAINST OTEPKA, OFFICIALLY THAT HIS CONDUCT WAS UNBECOMING A DIPLOMATIC OFFICER. THAT CONDUCT, TOWER SAID, "INVOLVED COOPERATING WITH A CONGRESSIONAL COMMITTEE CONCERNING SECURITY RISKS IN THE STATE DEPARTMENT."

THE DEPARTMENT ORDERED OTEPKA DISMISSED, BUT THE OFFICIAL HAS APPEALED TO THE CIVIL SERVICE COMMISSION.

TOWER SAID DEPARTMENT OFFICIALS SECRETLY PUT OTEPKA UNDER SURVEILLANCE, TAPPED HIS TELEPHONE AND EXAMINED THE TRASH IN HIS WASTE BASKET.

"THE OFFICIALS CLAIM THEY FOUND SOME EVIDENCE, AND THEREFORE, HAVE CHARGED OTEPKA WITH VIOLATING A DIRECTIVE ISSUED BY PRESIDENT TRUMAN IN 1948 FORBIDDING CONGRESS ACCESS TO ALL FILES INVOLVING DISLOYALTY AGAINST STATE DEPARTMENT AND OTHER FEDERAL WORKERS...

"ALL OTHER STATE DEPARTMENT SECURITY OFFICERS HAVE BEEN FORBIDDEN TO APPEAR BEFORE CONGRESSIONAL COMMITTEES TO DISCUSS THE MATTER OF SECURITY RISKS, WITHOUT ADVANCE APPROVAL FROM (SECRETARY OF STATE DEAN) RUSK," TOWER SAID.

THE SENATOR CALLED THIS "MUZZLEMENT." HE SAID IT IS A CONTRADICTION OF A 1948 LAW WHICH SAYS CONGRESS SHALL NOT BE DENIED INFORMATION OF ANY MEMBER OF THE CLASSIFIED CIVIL SERVICE.

"WHAT DISTURBS MANY OF US HERE IN CONGRESS IS THE POINT THAT, WITH THIS SITUATION IN OUR STATE DEPARTMENT, WE ARE FACING A PRESIDENTIAL POLICY WHEREBY SECURITY RISKS IN GOVERNMENT MAY BE PLACED IN POSITIONS OF INVESTIGATING AND DISCHARGING THE VERY SECURITY OFFICERS APPOINTED TO GUARD AGAINST THEM.

10/19--TD1208PED

XEROX
 OCT 25 1963

WASHINGTON CAPITAL NEWS SERVICE
 ENCLOSURE

65-68266-316

5- [signature]

UNITED STATES GOVERNMENT

Memorandum

1 - Belmont
 1 - Mohr
 1 - DeLoach
 1 - Evans
 1 - Sullivan
 1 - Wannall
 1 - Wacks

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

TO : W. C. Sullivan

DATE: 10/21/63

FROM : W. R. Wannall

SUBJECT: OTTO F. OTEPKA
 ESPIONAGE - X

Belmont ☒
 Mohr ☐
 Casper ☐
 Callahan ☐
 Conrad ☒
 DeLoach ☒
 Evans ☐
 Gale ☐
 Rosen ☒
 Sullivan ☒
 Tavel ☐
 Trotter ☐
 Tele. Room ☐
 Holmes ☐
 Gandy ☐

Recommendation made Assistant Attorney General J. Walter Yeagley, in reply to his request, be advised that Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee (SISS), has advised that he received no information, documents or material from the subject, except strictly in his capacity as Counsel for the SISS in connection with hearings being held at the time.

Subject is the State Department official against whom State on 9/26/63 preferred administrative charges alleging that he furnished classified and unclassified State documents to Sourwine. We were first advised of Otepka's activities on 6/20/63 when John F. Reilly, Deputy Assistant Secretary for Security, State, and Otepka's superior, advised the Bureau that Otepka, Chief of the Division of Evaluations, Office of Security, State, had been feeding information regarding security practices in State to Sourwine; that Reilly had covered Otepka's confidential trash and through these means had developed information indicating that documents from the files of State had been given to Sourwine by Otepka; and that it appeared that Otepka had furnished a copy of a classified FBI report to Sourwine.

Prior to our advising the Department of Reilly's allegations, Sourwine was interviewed by Assistant Director C. D. DeLoach and Inspector E. C. Kemper, Jr., 6/28/63. Memorandum Mr. DeLoach to Mr. Mohr 6/28/63 indicated that Sourwine was advised of the allegations made by Reilly against Otepka and he denied these allegations, specifically the receipt of any FBI information from Otepka. We advised the Attorney General by letter 7/1/63 that Sourwine categorically denied the allegations made by Reilly and that Sourwine, in addition, had stated that he had never received any FBI information from Otepka. On 7/10/63 Yeagley requested Bureau investigation in this matter. The investigation included an interview with Otepka during which he admitted giving classified and unclassified State documents to Sourwine, but denied furnishing any FBI report to him. Case was presented to Yeagley for a prosecutive opinion by Bureau letter 9/10/63.

Enclosures

65-68266

JFW:pal

(8)

REC-25

OCT 25 1963

OCT 30 1963

Memorandum W. R. Wannall to W. C. Sullivan
Re: OTTO F. OTEPKA
65-68266

In his 10/11/63 letter, Yeagley referred to our interview with Sourwine as set out in our 7/1/63 letter to the Attorney General and requested to be advised whether Sourwine's denial of the "allegations made by Mr. Reilly" included a denial of Reilly's allegations that Otepka had transmitted information and documents from the files of the Department of State to Sourwine.

Memorandum Mr. DeLoach to Mr. Mohr 10/18/63 indicated that on 10/18/63 Sourwine advised that he had received no information, documents or material from Otepka, representing the State Department, except strictly in his capacity as Counsel for the SISS in connection with the hearings being held at that time. Sourwine stated he desired to make it clear that the information, documents and materials furnished to him by Otepka were not to him, Sourwine, as a person, but were given strictly to him in his capacity as Counsel for the SISS in connection with the hearings at which Otepka was appearing as an official witness.

Since the newspapers have indicated that Secretary of State Rusk was scheduled to appear before the SISS on 10/21/63 and since it was felt that the information furnished by Sourwine on 10/18/63 would be of interest, it was orally furnished to [redacted] Special Assistant to Secretary Rusk, at 8:35 a.m. on 10/21/63. b6 b7C

[redacted] advised he would immediately furnish the data to Secretary Rusk. It is noted that in our previous memorandum to Rusk of 8/16/63 it was indicated that Sourwine claimed he did not receive any State Department documents.

ACTION:

(1) Enclosed for approval is a letter to Yeagley in answer to his inquiry in which the substance of Sourwine's statements are set out.

(2) Enclosed for approval is a letter to Secretary of State Rusk confirming the information furnished to [redacted] on 10/21/63. b6 b7C

It is suggested that this memorandum and the enclosed letters be routed through Mr. DeLoach's office.

DEM/waw

Wes - 2 -

OK

Don't

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (65-68266)

DATE: 10/29/63

FROM : SAC, WFO (65-9038) (P)

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X
(OO:WFO)

ReBuairtel 10/14/63.

Enclosed for the Bureau are five copies of a LHM reflecting the results of a check of subject's bank account.

It is noted that subject had rather substantial withdrawals during September, 1963. As of possible interest, in this connection, subject during interview commented that his daughter was entering Washington University, St. Louis, Missouri, as a freshman student in September of 1963.

A check of the bank records was conducted by SA PHILIP H. WILSON.

2 - Bureau (Enc 5)
1 - WFO
ENCLOSURE

RCB:mcv
(3)

REC-12 EX-115

65-68266-38

14 OCT 30 1963

NAT. INT. SEC.

let to AA & page 1 (Enc)
JFW:bjd 11-7-63



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D.C.

October 29, 1963

OTTO F. OTEPKA
ESPIONAGE - X

Mr. F. Kenneth White, Assistant Vice President,
Suburban Trust Company, furnished the following information
on October 23, 1963:

Otto F. Otepka and his wife, Edith S., have a
joint savings account in the Wheaton Office, Suburban Trust
Company, Account Number 466. Present balance is \$481.20.
The high balance in 1963 was \$1934 on March 20, 1963.
Activity during 1963 was: May 8th, \$25 withdrawal; July 11th,
\$100 withdrawal; July 12th, \$25 withdrawal; July 22nd, \$150
deposit; September 5th, \$1300 withdrawal; September 24th,
\$175 withdrawal.

~~Otepka~~
Joan or Edith Otepka have a joint savings account
in the Wheaton Office with a current balance of \$760, which
has been the balance since 1960.

Otto F. or Edith S. Otepka rent Safe Deposit Box
Number 1222 in the Wheaton Office.

The Silver Spring Office, Suburban Trust Company,
made Otto F. Otepka an auto loan on May 11, 1962, for \$1533;
payments were \$63.95 per month; account paid up satisfactorily.
Automobile was a 1962 Buick sedan, Serial Number 41-501-6689.

~~Otepka~~ ~~EDITH OTEPKA~~
Otto F. and Edith S. Otepka, 1832 Arcola Avenue,
Wheaton, Maryland, have a special checking account in the
Silver Spring Office, Suburban Trust Company. Present
balance is \$349.36.

Recent deposits in this account were as follows:

COPIES DESTROYED
R209 Sep 12 1970

OTTO F. OTEPKA

August 20, 1963	\$ 175.00
August 30, 1963	\$ 225.00
September 5, 1963	\$1100.00
September 16, 1963	\$ 250.00

The only available cancelled checks contained no significant information and apparently involved payment of normal household and personal expenses.

The foregoing information may not be disclosed publicly except in the usual proceedings following the issuance of a subpoena duces tecum. Mr. White is the appropriate officer to be named in a subpoena.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1 - Mr. Wacks

Mr. J. Walter Yeagley
Assistant Attorney General

November 7, 1963

Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to your letter dated October 11, 1963, in which you requested that information concerning transactions in the subject's bank account be obtained. In connection therewith, there is enclosed a copy of a memorandum dated October 29, 1963, at Washington, D. C.

It is requested that we be advised whether prosecution is contemplated in this case and if additional investigation is desired.

Enclosure
REC- 135
65-68266 - 38

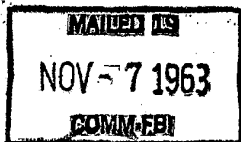
JFW:bjb
(4)

NOTE:

On 11/10/64 SA Wannell personally contacted John Novitt, Sr., Sec. Dir., who advised he would endeavor to have reply over in near future.

Subject is the State Department employee who has been charged by State with furnishing the Senate Internal Security Subcommittee classified and unclassified information and documents from the files of the State Department. We conducted investigation at the request of the Department of Justice and presented the recase for prosecution opinion to the Internal Security Division on 9-4-63. Investigation, as requested by the Department, is now complete.

Tolson _____
Belmont _____
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Holmes _____
Gandy _____



MAIL ROOM ☐

TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: November 9, 1963

FROM : Mr. W. R. Wannall

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Tolson _____
Belmont _____
Mohr _____
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SA O. H. Bartlett telephonically advised SA Vincent E. Ruehl, weekend duty supervisor, 11/9/63, 6:35 P.M., that Robert D. Johnson, Passport Office, State Department, called SA Bartlett at 6:30 P.M. Mr. Johnson stated John J. Reilly, Deputy Assistant Secretary of State for Security, had been placed on administrative leave effective Tuesday, 11/12/63.

Mr. Johnson believed this action is connected with items in press Friday and Saturday, 11/8-9/63, wherein it was reported Reilly admitted giving false testimony to Senate Internal Security Subcommittee when he denied knowledge of telephone taps being placed on captioned subject.

RECOMMENDATION:

For information. See attached clippings.

Enc.

VER:fjh
(8)

- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Liaison
- 1 - Mr. Wannall
- 1 - Mr. Wacks
- 1 - Mr. Ruehl

3 ENCLOSURES

REC-54

EX-103

NOV 15 1963

58 NOV 2 1963

Is Someone Lying?**Optepka Phone Tap Divulged**

Senate investigators have made public testimony in which three State Department officials contradicted themselves on whether officials tapped the telephone of department security officer Otto F. Optepka.

The contradictory statements were released yesterday by the Senate Internal Security Sub-committee as the latest development in the department-Senate clash over State Department security policies.

DISMISSED

Mr. Optepka, former head of the evaluation division of the State Department's security office, was dismissed from his post on charges of conduct "unbecoming" a diplomat for allegedly giving classified data relating to the loyalty of certain employees to the subcommittee.

Mr. Optepka is appealing his dismissal.

The sub-committee made public testimony given under oath by three state department employees which appeared to clash with "clarifying" statements they later submitted to the sub-committee.

On July 9 of this year, Elmer D. Hill, head of the security office's division of

technical services, was asked if he knew of "any instance where a listening device has been placed in an employee's office?"

REPLY

Mr. Hill replied to sub-committee Chief Counsel J. C. Sourwine: "Not to my knowledge."

But in a later letter to the sub-committee, Mr. Hill acknowledged that he was ordered by John F. Reilly, Deputy Assistant Secretary for Security, to "explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Optepka's office."

This was on March 18—four months before Hill gave his conflicting testimony on the subject to the sub-committee.

The sub-committee, headed by Sen. James O. Eastland (D., Miss.) also questioned Mr. Reilly on Aug. 6. To the question of Mr. Sourwine if he had ever "engaged in or ordered" the tapping of an employee's telephone, Mr. Reilly replied: "No, sir."

Mr. Reilly later acknowledged in a letter to the sub-committee that he had asked Hill to "undertake a survey of the feasibility of intercepting conversations in Mr. Optepka's office."

Mr. Reilly said in his subsequent letter to the Senate that wires in Optepka's telephone were juggled on March 18, but the method did not work, no conversations were intercepted and the connections were removed two days later.

The third official involved in the testimony released by the panel was David I. Belisle, assistant to Mr. Reilly. He also denied knowledge of any phone tap in testimony on July 29, but later amplified this with a letter saying he had "no firsthand information concerning these events."

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The Washington Post and Times Herald _____
The Washington Daily News P. 32
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date 11-9-63

65-68266-40

Dodd Calls on State Dept. To Cite 3 in Otepka 'Lies'

Senator Thomas J. Dodd called on the State Department today to bring charges against three of its officials. He said they have admitted in effect that they lied under oath to Senate investigators.

"This is a shocking matter," said the Connecticut Democrat, vice chairman of the Senate Internal Security subcommittee.

Senator Dodd's comments were made to a reported in another flare-up of the controversy over the dismissal of Otto F. Otepka, veteran State Department security officer, over the protests of subcommittee members.

Among other things, Mr. Otepka was accused by the department of supplying the subcommittee with information from confidential employee loyalty filed.

Eavesdropping Attempted

The subcommittee yesterday made public statements from three State Department officials acknowledging that wires were connected to Mr. Otepka's telephone to permit eavesdropping on conversations in his office.

Also made public by the subcommittee were excerpts from earlier secret testimony of the officials denying knowledge of the installation of any listening devices in Mr. Otepka's office.

The officials are John F. Reilly, deputy assistant secretary of state for security; David I. Belisle, special assistant to Mr. Reilly, and Elmer Dewey Hill, chief of the Division of Technical Services in the department's Office of Security.

Failure Acknowledged

They said their statements, sent to Subcommittee Chairman Eastland with a request they be included in the hearing record, were intended to amplify and clarify their previous testimony.

The statements said no ac-

tual interception of conversations took place, none was authorized, and that the wiring on Mr. Otepka's telephone was disconnected within 48 hours after a test of the reception showed it unworkable.

Accompanying letters from each of the officials were dated Wednesday. The day before, following Mr. Otepka's dismissal, Senator Dodd had told the Senate that the subcommittee had proof the State Department put a tap on Mr. Otepka's telephone.

"The department ought to move on this—and quickly," Sen. Dodd said today.

"When three officials of the State Department admit, in effect, that they lied under oath to a Senate committee, every American and every member of Congress ought to be concerned," he said.

"These are the fellows the State Department should prefer charges against, not Otepka," he added. "A person who tells a lie lives a lie."

Committee to Meet

Senator Dodd said a meeting of the Senate Judiciary Committee, parent body of the Internal Security unit, has been called for Tuesday to consider Mr. Otepka's dismissal and other aspects of the case.

Mr. Reilly said in the statement he sent to Senator Eastland that last March 18 he asked Mr. Hill to look into the feasibility of intercepting conversations in Mr. Otepka's office. He said this was after he began to suspect Mr. Otepka might be furnishing information privately to J. G. Sourwine, the subcommittee's chief counsel.

However, Mr. Reilly said he had not authorized the actual interception of any conversations but wanted to find out if "this technique could be used without undue risk of detection" in the event nothing of significance turned up in ex-

amination of burn bags used by Mr. Otepka for disposal of classified trash.

Mr. Reilly said that as it turned out the wiring of Mr. Otepka's telephone didn't prove successful and the next day the contents of a burn bag "revealed that Mr. Otepka had furnished certain material to Mr. Sourwine."

"As a result," Mr. Reilly said, "I then determined that I would not at any time authorize the interception of conversations taking place in Mr. Otepka's office." He said the wires were disconnected the next night while he waited in a corridor outside Mr. Otepka's office.

Testified Differently

Closed-door testimony released by the subcommittee quoted Mr. Reilly as replying, "No, sir," when he was asked on August 6 whether any listening devices had been installed in Mr. Otepka's office.

Mr. Hill's statement gave a similar account of the wiring of the telephone. He said that, acting on instructions from Mr. Reilly, he and another State Department technician had made the installation but electrical interference "produced a loud buzzing sound" they couldn't eliminate.

In secret testimony he gave the subcommittee on July 9, made public yesterday, Mr. Hill denied he had anything to do with placing a listening device in Mr. Otepka's office or that he knew if it had been done.

A similar denial was made by Mr. Belisle at a closed subcommittee hearing on July 29.

In his statement to Senator Eastland, Mr. Belisle said he was out of the country when the wiring of the telephone took place. He said Mr. Reilly had mentioned it to him later but he himself had no firsthand knowledge.

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New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date 11-2-63

65-68211-40

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

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Executive vs. Legislative Power

Showdown Is Nearing In Otepka Dismissal

By Murrey Mardrer
Staff Reporter

Both sides are reeling from heavy salvos fired in the bureaucratic war between the State Department and the Senate Internal Security Subcommittee over the Otto F. Otepka case.

No one can be sure how many casualties and powder burns there will be before the smoke clears away.

But what began as a skirmish over congressional testimony of State Department employees, is now a showdown between the Executive and Legislative branches of government.

President Kennedy is known to be personally concerned

about the affair. It could have morale and political consequences for his Administration.

The State Department confirmed yesterday that two officials have been placed on "administrative leave" after acknowledging that an eavesdropping "bug" was briefly placed last March in the office of security evaluator Otepka.

Otepka at the time was suspected of slipping information to the Subcommittee Counsel, J. G. Sourwine. Last Tuesday, Otepka was dismissed by the Department.

See OTEPKA, A7, Col. 1

The Washington Post and Times Herald ☒
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Mirror _____
New York Daily News _____
New York Post _____
The New York Times _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
Date 11-10-63

65-48266-40

Showdown Nears In Conflict Over Otepka's Dismissal

subject to rights of appeal, after being under suspension since Sept. 23.

Leaves Ordered

By "mutual consent," State Department officials said yesterday, leave has been ordered for Deputy Assistant Secretary of State for Security John F. Reilly, and the chief of Reilly's Division of Technical Services, Elmer D. Hill.

Their leave will continue, the Department spokesman said, "while we are looking into" the affair.

Sen. Thomas J. Dodd (D-Conn.), vice chairman of the Senate Subcommittee, said yesterday, "This is a shocking matter." He said three officials of the State Department admitted, "in effect, that they lied under oath to a Senate committee . . ." Dodd said "These are the fellows the State Department should prefer charges against not Otepka."

ka, among other things, was charged with leaking to the Subcommittee information from loyalty files that can be released only with personal approval by the President, because of the damaging character of such information.

Otepka, in his defense, claimed a "higher loyalty," to tell the truth, overriding the "letter" of any regulations.

Several Senators on the Subcommittee publicly and privately warned the State Department against proceeding with the Otepka charges. Dodd called Otepka "the last old-line security officer holding a top position in the Office of Security."

Last Tuesday, the State Department sustained all its original charges, dismissing Otepka from his \$16,900-a-year post. He has until next Friday to file an appeal.

Dismissal Deplored

That same day, Tuesday, Dodd took the Senate floor to deplore Otepka's dismissal. He served public notice that the Subcommittee had evidence of "wilful misstatements" or "untruths" under oath about placement of a listening device in Otepka's office. Next day, the Hill, Reilly, Belisle statements were submitted to the Subcommittee.

The difficulty now confronting Hill and Reilly in the Department is not the use of a listening device, but the contradictions in their testimony.

Reilly is a career Government employee, who previously served in the internal security division of the Justice Department. But Hill, who was first to testify in the affair, and whose testimony was backed up by Reilly, his superior, is a newcomer to Government. He came to the Department about a year ago as an electrical engineer at the Stanford Research Center in California.

Meeting on Tuesday

Dodd said a meeting of the Subcommittee's parent body, the Senate Judiciary Committee, is scheduled Tuesday, to consider the Otepka case and related matters.

The three officials he said should be charged were Reilly, Hill, and David I. Belisle, special assistant to Reilly. Belisle has stated he was in Costa Rica when a listening device was placed in Otepka's office. Last July, first Hill, then Belisle and Reilly, denied any knowledge of the installation of the device. Last Wednesday, all sent statements to the Subcommittee, revising their testimony.

Hill said he helped install the listening device at Reilly's request to test its effectiveness; but it proved inadequate and was removed after a test. Next day, said Reilly, the contents of a "bag of Mr. Otepka's trash . . ." revealed that Mr. Otepka had furnished certain material to Mr. Sourwine."

Dispute an Old One

Behind the whole affair is a running dispute between the Department and the Internal Security Subcommittee that has roots in the loyalty-security head-hunting days of the late Sen. Joseph R. McCarthy (R-Wis.).

Subcommittee charges that the State Department was "soft" on loyalty-security cases publicly veered into the Otepka affair last September. Otep-

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 06-29-2011 BY 60324 UCBAW/SAB/SBS

TO : DIRECTOR, FBI (65-68266)

DATE: 11/21/63

FROM : SAC, WFO (65-9038) (P*)

SUBJECT: OTTO F. OTEPKA
ESP - X
(OO:WFO)

ReWFOlet 10/29/63.

Inasmuch as the only lead outstanding in this investigation is to report the decision of the Department as to prosecution, this case is being placed in a pending inactive status.

2-Bureau
1-WFO

RCB:klw
(3)

REC-34

65-68266-41

EX-101

1 NOV 21 1963

SOVIET SECTION

~~SECRET CONTROL~~

58 DEC 3 1963

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 11-15-63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

SENATE

Pages 20750-20751. Senator Dominick, (R) Colorado, spoke concerning the firing of Otto Otepka, security officer, by the State Department. Mr. Dominick stated "Mr. Richard Wilson wrote an extremely good article published in the Washington Star last night, entitled 'The Firing of Otto F. Otepka,' which I believe brings out the facts clearly. He points out specifically that Mr. Otepka is a fine security officer, and that the complaint is that he conformed to the statute which permits employees of Federal agencies to testify before Senate committees on request, rather than covering up and taking care of the rules and regulations of the Secretary of State, Mr. Fusk." Mr. Dominick included the text of the article with his remarks.

- 1 - Mr. Tolson - with enclosure
 - 1 - Mr. Belmont - with enclosure
 - 1 - Mr. Mohr - with enclosure
 - 1 - Mr. DeLoach - with enclosure
 - 1 - Mr. Rosen - with enclosure
 - 2 - Mr. Sullivan - with enclosure
 - 1 - Mr. D. C. Morrell - with enclosure
- ves/mcm (11)

OVER

In the original of a memorandum captioned and dated as above, the Congressional Record for 11-14-63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

65-68266-

NOT RECORDED

DEC 2 1963

Original filed in: 66-1731-2445-

64-1510-3-1963

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 11-15-63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

APPENDIX

Pages A7082-A7083. Congressman Derounian, (R) New York, extended his remarks concerning the Otepka case and stated "it is so disgusting to see the State Department try to worm its way out of the lies in the Otepka case. We can all imagine what would have happened if Mr. Otepka had been charged with pro-communism instead of anticommunism." He included an article entitled "The Dagger in the Cloak—and Mr. Otepka's Back" written by David Lawrence and published in the New York Herald Tribune, and an article written by Richard Wilson entitled "The Firing of Otto F. Otepka—Security Officer Called Foe of Trickiness and Laxity and His Discharge Shabby" which appeared in the Washington Evening Star. Mr. Lawrence stated "Senator Thomas J. Dodd,

Democrat, of Connecticut, has achieved a reputation for independent thinking. When he says that the Department of State, in dismissing its director of security, used methods that are highly questionable, the country naturally becomes interested, especially since Mr. Dodd himself at one time served in the Federal Bureau of Investigation under J. Edgar Hoover." (Thomas J. Dodd was employed with the Bureau as an Agent from September 18, 1933, to August 30, 1934. His services were satisfactory.)

In the original of a memorandum captioned and dated as above, the Congressional Record for 11-14-63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original filed in: 66-1731-2415-

65-68266-

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133 DEC 2 1963

64 DEC 3 1963

UNITED STATES GOVERNMENT

St
Memorandum

TO : The Director

DATE: 11/13/63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Ottok. Otepka

Pages 20513-20514. Senator Williams, (R) Delaware, spoke concerning an editorial which appeared in the Washington Evening Star on November 11th entitled "Otepka Testimony." Mr. Williams requested to have this editorial and an article entitled "Aids Admit Wiretap On Otepka" placed in the Record. Mr. Williams stated "Tapping a telephone under such circumstances is a violation of the law, and smacks of police state tactics. I suggest that the State Department promptly fire those responsible, and that the Attorney General of the United States bring prompt action against this illegal invasion of a man's privacy for no reason other than political reprisal."

Original filed in: 66-1731-211

*165-68266-*NOT RECORDED
191 NOV 26 1963**61 DEC 31 1963***322*

In the original of a memorandum captioned and dated as above, the Congressional Record for *Tuesday 11/12/63* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

DATE: November 18, 1963

FROM : C. A. Evans

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/12/80 BY SP-10/10/80

SUBJECT: OTTO F. OTEPKA

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On Saturday evening, November 16, 1963, Deputy Attorney General Katzenbach called with reference to the matter involving the dispute between the Security Section at the State Department and the Senate Internal Security Sub-Committee. In this connection, Otepka, a veteran State Department security employee, has been suspended and action instituted by the State Department to discharge him because he allegedly furnished classified information to the Senate Sub-Committee. That committee in turn has been holding further hearings and two other State Department employees, John Reilly, who is head of the Office of Security at State, and one of his technical assistants by the name of Hill have admitted furnishing false information to the Sub-Committee.

Katzenbach advised that at the time of his call a meeting was being held in the Secretary of State's office as to further action by the Department of State. It appears that Reilly and Hill have continued to furnish varying stories as to what actually happened in efforts to either put a wire tap on Otepka's office phone or to place some type of microphone coverage in his office. Katzenbach said that Abraham Chayes, Legal Counsel for the State Department, was in need of some technical information and would be in touch with me in this connection.

Later Saturday evening I talked with Chayes on the telephone. He said that to evaluate the inconsistency of the information being furnished to him and the Secretary by Reilly and Hill, he needed some information to determine whether what was being told to him as a technical fact with regard to wire tapping and microphone coverage was, in fact, technically possible. Chayes was informed that this did not appear to be a matter where the Bureau could be of assistance and that he had in his own Department capable and qualified technical men. He replied that while this might be true the technical men were involved or were closely associated with those who were involved in the Otepka situation so that he couldn't be sure that he was getting unbiased information. As of Saturday evening the matter hadn't been fully exploited at the State Department and Chayes didn't even know then what questions he wanted to ask.

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Sullivan

5
CAE:am
13
(9) 173

Indicated in original correctly re: State Dept. put on a 'shop' of its great technical developments a few years ago for Rosenberg Committee & I promised him dud. H

COPY SENT TO MR. TOLSON

TELE. ROOM

UNRECORDED COPY FILED IN 62-18207-62-397

DEC 2 1963

Memorandum to Mr. Belmont

On Sunday, November 17th, Katzenbach telephoned again. He said that the Otepka situation at the State Department had gotten completely out of hand and it didn't appear that Senator Eastland and the Senate Committee would ever be satisfied by any attempt on the part of the State Department to "clean its own house." Katzenbach indicated that there was no alternative but for the State Department to discharge Reilly and [] as they obviously committed perjury before the Senate Committee. This action is to be taken and the State Department is to refer to the Department of Justice the alleged perjury violations. Katzenbach pointed out that these were criminal cases which the Department would be referring to the FBI for necessary investigation.

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Katzenbach further noted that with the discharge of Reilly the State Department needed an immediate replacement in his position as Head of the Security Division at State. It was not believed this position should remain unoccupied for any period of time. Accordingly, it was proposed that a qualified individual be located within the Government who could take over temporarily on special assignment in the Security Division until such time as a permanent Head could be located. Katzenbach said two names had been proposed. One of these is James Devine, a Justice Department attorney whom Katzenbach feels is hardly qualified. The other name advanced by Assistant Secretary of State Crockett is FBI SAC Frank Price. It is recalled that Price was originally offered the position as Head of the Security Division prior to Reilly being named to this post. Price's name was originally advanced by ~~the late~~ Congressman Rooney but Price declined to take the position as he wanted to make the Bureau his career.

I told Katzenbach that the Bureau was, as he knew, heavily burdened with added responsibilities in many fields and it seemed inconceivable to me that we could possibly spare one of our officials for any temporary assignment to the State Department. At Katzenbach's suggestion, however, that this matter be brought to the Director's attention for his consideration, Mr. Tolson was telephonically informed.

Absolutely no.
7 15
ACTION TO BE TAKEN:

There is no action required of the Bureau at this time. Katzenbach has been told that the FBI can't spare any of its officials for temporary assignment at the State Department. When we receive a request from the Justice Department for the investigation of criminal violation of perjury, we will of course see to it that such investigation is afforded prompt and thorough attention.

2

Here again the State Dept. which is always in a hurry, aided & abetted by the FBI is trying to draw upon FBI to get the heat away.
HQ

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach

1 - Rosen
1 - Egan
1 - Mrs. Whalen
(Room 619 R.B.)

W. C. Sullivan

1 - Sullivan

11-21-63

W. R. Wannall

1 - Wannall
1 - Wacks

**SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY**

This is an informative memorandum setting forth the following highlights of the testimony of [redacted] Special Assistant to Deputy Assistant Secretary for Security, Department of State (John F. Reilly), and the testimony of [redacted] Office of Legal Advisor, State, before the Senate Internal Security Subcommittee (SISS) in Executive Session on [redacted] Copy of the transcript is enclosed.

OTHER NOT UNDER PURVIEW OF FOIA

[redacted]

[redacted]

OTHER NOT UNDER PURVIEW OF FOIA

Enclosure

1 - 65-68266 (Otepka)

JFW:jal
(12)

60 DEC 10 1963

65-68266 -
NOT RECORDED
199 DEC 3 1963

ORIGINAL FILED IN 65-68266-29749

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b7c

Memorandum W.R. Wannall to W.C. Sullivan
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

[REDACTED]

[REDACTED] Several days before Senator Dodd's comments to the Senate Secretary of State Rusk had indicated to Under Secretary of State [REDACTED] that he wanted clarifying or amplifying or correcting statements made to the SISS with respect to the testimonies of Reilly, [REDACTED] on the wire tapping incident. [REDACTED] made drafts of proposed letters for Reilly, [REDACTED] presented the drafts to them on the evening of [REDACTED] and allowed them to make desired corrections. After the letters were typed in final form and signed, they were presented to Secretary Rusk who indicated they should be sent to the SISS.

ACTION:

For information.

1 - Belmont 1 - Rosen
1 - Mohr 1 - Egan
1 - Evans 1 - Mrs. Whalen
1 - DeLoach (Room 619 R.B.)

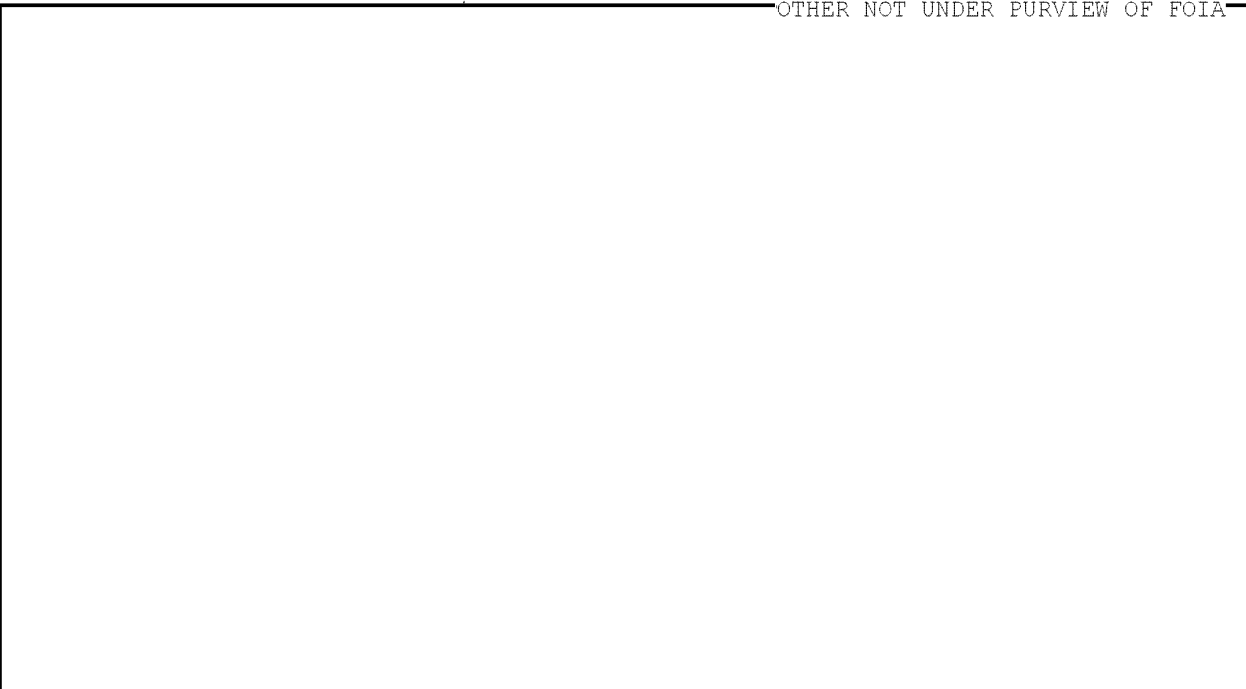
W. C. Sullivan 1 - Sullivan 11-21-63

W. R. Wannall 1 - Wannall
1 - Wacks

**SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY**

This is an informative memorandum setting forth the following highlights of the testimony of [redacted] Deputy Assistant Secretary for Security, Department of State, on [redacted] before the Senate Internal Security Subcommittee (SISS) in Executive Session. A copy of the transcript is enclosed. Included in the enclosure are also the proceedings of the SISS on [redacted] Chief, Division of Technical Services, Office of Security, State, appeared before the group and requested that his testimony be deferred until he conferred with his attorney. The SISS granted this request.

OTHER NOT UNDER PURVIEW OF FOIA



Enclosure

ENCLOSURE

ENCLO. BEHIND FILE

1 - 65-68266 (Otepka)

JFW:jal
(12)

165-68266-43
NOT RECORDED
199 NOV 29 1963

72 DEC 11 1963

ORIGINAL FILED IN 62-39241-1

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b7C

Memorandum W.R. Wannall to W.C. Sullivan
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

Reilly admitted he had not cooperated fully with
the SISS when he testified on [REDACTED]

[REDACTED]

The day before Secretary of State Rusk testified
before the SISS [REDACTED] he had suggested
to Reilly that Reilly send a statement to the SISS amplifying
his previous testimony. The statement Reilly sent to the
SISS dated 11-6-63 [REDACTED]

ACTION:

For information.

1 - Belmont
1 - Mohr
1 - Evans
1 - DeLoach

W. C. Sullivan

W. R. Wannall

1 - Rosen
1 - Sullivan
1 - Egan

11-22-63

1 - Mrs. Whalen
(Room 619 R.B.)
1 - Wannall
1 - Wicks

SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

This is an informative memorandum setting forth the following highlights of the testimony of [redacted] Chief Division of Technical Services, Office of Security, State, on [redacted] before the Senate Internal Security Subcommittee (SISS) in Executive Session. A copy of the transcript is enclosed.

OTHER NOT UNDER PURVIEW OF FOIA

In his testimony before the SISS on [redacted]

Enclosure

ENCLOSURE

1 - 65-68266 (Osteph)

JFW:jal
(12)

ENCLO. BEHIND FILE

65-68266-44
NOT RECORDED
170 NOV 27 1963

DEC 10 1963

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Memorandum W.R. Wannall to W.C. Sullivan
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE
INQUIRY INTO PERSONNEL SECURITY PRACTICES
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

For information.

ALL INFORMATION CONTAINED
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DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

UNITED STATES GOVERNMENT

Memorandum

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Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO :

W. C. Sullivan

FROM :

W. R. Wannall

SUBJECT:

OTTO F. OTEPKA
ESPIONAGE - X

- 1 - Belmont
1 - Mohr
1 - DeLoach
DATE: 12-17-63
1 - Evans
1 - Rosen
1 - Sullivan
1 - Egan
1 - Wannall
1 - Mrs. Whalen (Room 649 AB)
1 - Wacks
1 - Fox

Informative memorandum prepared setting forth highlights of testimony of [redacted] Chief of Technical Security Branch, Domestic Operations Division, Department of State, in executive session before the Senate Internal Security Subcommittee (SISS) on [redacted] concerning Otto F. Otepka. Otepka was State Department official against whom State preferred administrative charges alleging that subject furnished classified and unclassified State documents to Jay Sourwine, Chief Counsel of SISS.

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

For information.

- 1 - Senate Internal Security Subcommittee

REC- 52

EX-102

4 DEC 27 1963

UNRECORDED COPY FILED IN 68-266-45

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Sullivan *we yr*

FROM : C. D. DeLoach *pick*

SUBJECT : TESTIMONY - SENATE INTERNAL
SECURITY SUBCOMMITTEE (SISS)
"STATE DEPARTMENT SECURITY"

DATE: December 11, 1963

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Gandy _____

The following volume of testimony has been received from the SISS and sent to Mr. Sizoo of the Domestic Intelligence Division for appropriate review and return to my office to be returned to the SISS:

Volume 53, December 10, 1963 - Executive Session - Confidential

Testimony of:

[Redacted]

Accompanied by:

[Redacted]

Observer, Department of State

OTTO OTERKA

*Memo Wornell & Sullivan
12/17/63
FPF: ccj*

- 1 - Mr. Sizoo
- 1 - Mrs. Lorraine Whalen, Room 635 RB (with enclosure)

CDD:saj *84*
(4)

65-68266-
NOT RECORDED
JAN 2 1964

5 DEC 30 1963

R. H. [Signature]

*Photostatic
12/12/63*

ENCLOSURE

26 XEROX

64 JAN 7 1964

DEC 30 1963

ORIGINAL FILED IN 62-39749-2953

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DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

January 2, 1964

Reference is made to the FBI
on page 6 of the attached
publication from the American
Security Council.

nm

*Wanted
Eggs*

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MR. BELMONT ☒
MR. MOHR ☒
MR. CASPER ☒
MR. CALLAHAN ☒
MR. CONRAD ☒
MR. DELOACH ☒
MR. EVANS ☒
MR. GALE ☒
MR. ROSEN ☒
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MR. TAVEL ☒
MR. TROTTER ☒
MR. JONES ☒
TELE. ROOM ☒
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AMERICAN SECURITY COUNCIL

123 North Wacker, Chicago 6, Illinois

65-68266

(OTTO OTERPKA)

file 9-1112

65-68266-46

REC-4

JAN 6 1964

ENCLOSURE

ENCLOSURE ATTACHED

68 JAN 9 1964



Nation's Security

December 30, 1963

NS 63-5

THE CASE OF OTTO OTEPKA

On September 23, 1963, a long-smoldering issue broke into public view when the State Department served notice on the Chief of the Evaluation Division of the Office of Security, Otto Otepka, that it proposed to fire him for actions "unbecoming to an officer of the Department of State." On November 5, 1963, Otepka's answer to the charges was disregarded and the action was carried out, subject to appeal and review by Secretary Rusk.

The reasons given for firing Otepka are based mainly on charges that he cooperated with the Senate Internal Security Subcommittee (S. I. S. S.) in the course of its still continuing investigation into State Department security procedures. The real reason, however, apparently lies in Otepka's obstinate and conscientious effort to do his job too well. In trying to keep persons of questionable character or affiliation out of sensitive Government positions, he made a nuisance of himself in the eyes of his superiors. In placing loyalty to country, as he saw it, above institutional loyalty to the State Department, he violated the latter's code. In the eyes of State Department officials, he is "out of step with the times."

Mr. Otepka is a professional security officer and a good one. He came to the State Department in 1953 as a personnel security evaluator under the late Scott McLeod. In 1960 his State Department efficiency report noted his "long experience with and extremely broad knowledge of laws, regulations, rules, criteria and procedures in the field of personnel security. He is knowledgeable of Communism and its subversive efforts in the United States. To this he adds perspective, balance and good judgment." This was the last efficiency report he received. His knowledge of correct procedures and insistence that they be carried out was to lead to his undoing.

On January 20, 1962, Otepka was downgraded from Deputy Director of the Office of Security to Chief of the Evaluation Division. This division has authority to clear persons who do not, in the judgment of its chief, warrant an adverse ruling. Where there is derogatory information, the case is required to proceed through higher channels; any higher official may overrule the Evaluation Division and grant a clearance, but only the Deputy Under Secretary for Administration

may concur and suspend the individual. After hearings are held only the Secretary of State may actually separate the man.

This procedure has particular application to Otepka, because it concerns a security case in which he was importantly involved -- that of William Arthur Wieland. In part, this case is responsible for Otepka's troubles.

These difficulties really began in 1959 when the new Director of the Office of Security, William Boswell, a foreign service officer who was not a security expert, announced that he was going to eliminate the "McLeod image." Scott McLeod had been the first Administrator of the Bureau of Security and Consular Affairs until 1957. McLeod's strict procedures succeeded in eliminating many security risks from the State Department, though apparently at some cost to the "morale" of a number of foreign service officers. Boswell proposed to place foreign service officers in a position to check on other foreign service officers -- an arrangement to which Otepka objected in principle.

Otepka personally worked on two major personnel security cases -- John Stewart Service and William Wieland. Service had been separated from the State Department in 1950 for turning over documents to Philip Jaffe, publisher of Amerasia magazine (a definitely pro-Communist publication). He was ordered reinstated by the Supreme Court in 1956. In readjudicating his case, Otepka found that he was not a loyalty risk, but raised questions as to his judgment and conduct. Service was subsequently cleared on all counts and sent as consul general to Liverpool. ~~He retired in 1961.~~ Wieland was a State Department desk officer who had a hand in shaping U.S. policy towards Cuba, both before and after Castro's take-over. To his superiors, he was an apologist for Castro, although he told friends privately as early as 1958 that Castro "is a Communist." A full security check was done on Wieland in response to an allegation that he, himself, was a Communist. Otepka's conclusions did not support this charge, but did raise questions as to Wieland's integrity, based in part on falsehoods in his testimony before the Senate Internal Security Subcommittee. Nevertheless, Wieland was "cleared" by Roger Jones, Deputy Under Secretary for Administration. He did so in September, 1961 on the basis of only the "digest" of the Wieland findings, without first obtaining the recommendation of the intervening head of the Bureau of Security and Consular Affairs, and without notifying the Office of Security of his decision. Not until January 25, 1962 -- one day after the Wieland case was raised at a Presidential news conference, was Otepka notified in writing by Boswell that Jones had, in fact, closed out the Wieland case. Otepka objected to these irregular procedures. In the Service case the procedure in clearing him had at least been correct; not so in the case of Wieland.

Another of Otepka's assignments, beginning in October, 1960, was to integrate new information into the security files of high-ranking Presidential appointees. In some cases there he discovered that there was derogatory information on these individuals, including affiliation with Communist front organizations.

This was the general situation when Otto Otepka initially testified before the Senate Internal Security Subcommittee -- at its request -- on November 16,

1961 regarding personnel reductions in the Office of Security: He and his immediate superior, Boswell, did not see eye to eye on how best to run the Office of Security; Otepka disagreed with the final decisions made to clear both Service and Wieland and had pointed out irregularities in the procedures followed with Wieland; the position which he held, that of Deputy Director of Security, was about to be abolished and he, himself, downgraded, in part because it was alleged that his work on the Wieland case and his continuing work on the presidential appointees was interfering with his administrative responsibilities as Deputy Director -- an allegation which he denies. In his testimony, Otepka steadfastly honored his commitment not to reveal confidential information, but otherwise he related facts and expressed his opinions to the S.I.S.S. honestly and frankly. This testimony was a further irritant to his superiors.

Early in 1962 Otepka first became aware that Secretary of State Rusk had granted 152 security "waivers" to high-ranking State Department personnel on the basis of nothing more than National Agency checks, pending a more complete background investigation. This had been done only five times during the previous Administration. While this procedure may sometimes be defensible on the grounds that a new man's services are urgently needed, there were some of the 152 cases where the Agency checks disclosed derogatory information, including possible Communist affiliation. Furthermore, Otepka learned, and brought to the attention of his superiors, the fact that some persons had been appointed to State Department jobs, without any notification whatsoever to the Office of Security. He also discovered examples ~~of back-dating security waivers and clearances.~~ On March 8, 1962 both Boswell and Jones denied to the S.I.S.S. any knowledge of this procedure, but as a result of a memorandum to that effect from Otepka, Jones was first forced to report to the Subcommittee on March 20, that an investigation was underway and then to report on April 30 that there had been 152 waivers and a total of 44 cases of back-dating waivers and clearances.

The point at issue, in all this, was that the Department of State was allowing unauthorized personnel, not provably safe, to handle classified material and was then seeking to "cover up" for this laxity by back-dating the clearances ~~and even the waivers. Otepka's "crime" lay in telling about these irregular procedures~~ and in so doing, causing embarrassment to Boswell and Jones. Otepka's testimony on April 12, 1962 brought the facts to the surface and caused Roger Jones, on June 7, to state to the Subcommittee that while he did not challenge anything Otepka said, "I don't think it (the testimony) was appropriate --." Otto Otepka had by now become a major annoyance to the Department of State.

An effort was made about this time to rid the Security Office of the troublesome Otepka by assigning him to instruction at the National War College. Ordinarily, this is a very desirable assignment, and Otepka at first accepted it. He changed his mind, however, when he realized that the motivation in sending him to the War College was to get rid of him. In April, 1962, John Reilly, a Justice Department Attorney succeeded Boswell as Director of the

Security Office, allegedly with instruction to "do a job on the Security Office and get Otepka."

Reilly stated to Otepka that he would have no re-employment rights in the Security Office after finishing at the War College, whereupon Otepka declined the appointment. (Jones testified on June 7 that the War College assignment for Otepka was decided upon in connection with "the question of what we could do to get him out from under stress.")

Events took their course. On September 10, 1962, Otepka submitted a memorandum to Reilly recommending that certain appointees to the Advisory Committee on International Organizations not be cleared on a blanket basis without further investigation because there was derogatory information about some of them. The recommendation was overruled. About the same time, new derogatory information came to light on the Wieland case, causing it to be reopened. Early in 1963, Reilly asked Otepka to voluntarily disqualify himself from further interest in the case because of his strong feelings. Otepka refused, although he did state to Reilly that he did not wish to get too fully involved lest it take him off of his other duties.

At some point, Reilly came to suspect that Otepka might be cooperating privately with the S.I.S.S. counsel, J. G. Sourwine, in the latter's efforts to get to the bottom of the situation. Both Reilly and Otepka testified in February, 1963 and it was after that, on March 13, that Reilly directed a surreptitious inspection of the contents of Otepka's "burn bag" (wastebasket for classified information). On March 19 the burn bag search was successful, because a carbon paper was discovered containing a list of questions which Otepka prepared for Sourwine, who later asked them of Reilly. In addition, a typewriter ribbon was discovered on June 10 containing additional proposed questions which Otepka furnished to Sourwine.

Otepka admits the validity of this evidence, which is the basis of one of the charges against him. He also acknowledges a second charge -- that he turned over certain documents to Sourwine. This came about in the following way:

In February and March, 1963, Otepka testified four times before the Internal Security Subcommittee in executive (closed) session, in all cases at the request of the Subcommittee. During April and May Reilly testified five times, after having been furnished a transcript of Otepka's testimony. The testimony of the two put them in sharp conflict with each other concerning certain facts. (Otepka's questions for Sourwine probably helped to bring out this conflict.) Sourwine pointed this out to Otepka on May 23, 1963 and showed him the transcript of Reilly's testimony. One important discrepancy related to Otepka's September 10, 1962 memorandum to Reilly. Despite the memorandum, Reilly testified that there was no substantial derogatory information on any of the eight appointees and that the case of only one of them had even been brought to his attention prior to their appointment. Other Reilly testimony disparaged Otepka's integrity and emotional balance.

Otepka had long felt that both his professional competence and character were under attack. He felt morally and legally entitled to defend himself now that his accuser was on record with untruthful testimony. Therefore, he drew up a 39-page memorandum answering the Reilly statements and accompanying it with certain documents which supported his own position. Among these documents was a copy of his September 10, 1962 memorandum to Reilly, which he himself had classified "Confidential," and a copy of a Reilly memorandum dated September 17, 1962 which indicated that he (Reilly) was familiar with Otepka's memorandum. The documents disproved Reilly's assertion that Otepka had never presented the derogatory information to him.

Otepka's superiors said nothing to him about the first burn bag discovery, but after the second one on June 10, they evidently decided that he could no longer be tolerated and must be eliminated in the near future. The furnishing of questions to Mr. Sourwine did not in itself violate any written regulation. For the purpose of making a legal case against him, it was necessary to charge him with the technical crime of "declassification" and "mutilation" of classified documents without following prescribed procedure. The "evidence", all allegedly discovered in his burn bag on June 18, consisted of xeroxed copies of the tops and bottoms of classified documents. The clippings contained the classification indicators of the documents. This is the third general charge against Otepka.

Otepka denies emphatically that he had anything to do with the clippings. He is not even specifically charged with doing the clipping -- only that they were found in his burn bag. No charge is made that the declassified documents were subsequently turned over to the S. I. S. S., although that is the unofficial implication. Unless such a charge is formally made the simple technical violation is meaningless. Every intelligence analyst in Washington violates the same "rule" everytime he tears up a classified document and throws it in his burn bag. It is done by everyone. Otherwise, files would soon overflow.

Again, however, the point is simply that Otepka's superiors found it necessary, apparently, to "plant" evidence of this sort in his burn bag in order to build a legal case against him. (This is almost certainly the case if Otepka's denial is true.) Even after June 18 (the last day of the burn bag surveillance), nothing was said to him. Instead, on June 27, without warning, he was locked out of his office, denied access to his files and placed in isolation. He was given the job of writing a new handbook on security matters but was provided no materials to work with and no secretary. There was no explanation whatever -- only a lecture from Reilly on "institutional loyalty" to the State Department. Otepka's answer was that he placed loyalty to country first.

The State Department hoped, apparently, that this procedure might cause Otepka to quit in disgust, thus avoiding the necessity of bringing the charges against him which it was preparing. But on August 12, 1963, Otepka again testified in executive session and this time the State Department liaison of-

ficer was asked to leave the room! Otepka now had less reason to worry about the sensitivities of those who were tormenting him.

Three days later, on August 15, Otepka was subjected to an FBI interrogation, during which he voluntarily and openly recounted all his actions, including the fact that he turned over to Sourwine the two documents which proved Reilly's testimony to be incorrect as well as another unclassified document relating to personnel clearance procedures. Such a voluntary admission to the FBI concerning these documents strengthens the veracity of Otepka's denial of any knowledge of the burn bag clippings and supports the suggestion that they were "plants."

The FBI interrogation thus provided this additional basis for the charges against Otepka, and his testimony to the S. I. S. S. of August 12 (State is still in ignorance of what he said that day) provided the final impetus to fire him, which has now occurred. On August 15 an order was issued prohibiting members of the Security and Passport offices from contacting or testifying before the S. I. S. S. without express permission. Despite indications from Secretary Rusk on October 22 that this ban would be relaxed, it remains officially in force.

On November 9, a new wrinkle in the Otepka case occurred when the S. I. S. S. revealed that Reilly and two other State Department officials had written letters to the Subcommittee "clarifying" their testimony of July and August in which all three had categorically denied that any order had been given or attempt made to install listening devices in Otepka's office. The letters followed a charge by Senator Dodd in the Senate on November 5 that "although a State Department official has denied under oath that this was done, the Subcommittee on Internal Security has proof that the tap was installed." Now Reilly admitted, in his "clarification" that on March 18, 1963 he had directed Mr. Elmer Hill, Chief of the Division of Technical Services "to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office." According to Hill's letter, that evening he "altered the existing wiring in the telephone in Mr. Otepka's office." Both men claimed that the attempt to overhear conversations was dropped after the first burn bag discovery on March 19, but the contrast with their flat denials under oath that any such attempt had been made caused the State Department to put both men on "administrative leave" pending an "investigation." On November 18, 1963 they both resigned and Hill, in a further "clarification", admitted to the Senate Committee that the tap on Otepka's phone had, in fact, been successful and conversations had been recorded. Under these circumstances, the credibility of the State Department's witness has become open to serious doubt.

Thus we have the Otepka case as it now stands. It seems likely to become a "cause celebre" in American politics. Otepka was not, apparently, a popular man; he rubbed many people the wrong way. The charges that he cooperated with the S. I. S. S. counsel in preparing some of his questions and that he turned over at least three documents to him are true by his own admission. There

can be no question, however, of the legality of his action, because the right of a Government employee to furnish information to Congressional committees is established by statute. The United States Code, Title 5, Paragraph 652 (d) reads:

"d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

A Presidential Directive of March 13, 1948, under which Otepka is charged, does not prohibit disclosure of information absolutely, but proscribes the disclosure of documents "relative to the loyalty of employees or prospective employees" except under a special procedure for determining whether it is in the public interest to do so -- a determination to be made only by the President. But any such procedure was foreclosed to Otepka, politics being politics.

The points immediately at issue therefore, are whether, considering all the circumstances, it was ethically proper for Otepka to give the documents to the S. I. S. S. counsel and whether it is proper for the State Department to fire him for having done so.

In judging this question it should be noted that Otepka never at any time stated anything but the truth, nor is he anywhere charged with prevarication. His actions were so justifiable, in his own eyes, that he prepared his questions for Sourwine in his office, giving them to his secretary to type. He testified in every instance at the request of the Senate Internal Security Subcommittee. He provided the S. I. S. S. with information only because it was pointed out to him that his testimony was at variance with that of his superiors and that they were attacking his competence and integrity. The information which he provided supports his own statements and casts serious doubt on the truthfulness of some of those who now accuse him. ~~At least two instances of untruthfulness on their part have now been admitted.~~ This casts doubt on the character of some of the men who have been responsible for State Department security. It is surely proper to ask who is, in fact, guilty of conduct "unbecoming an officer of the Department of State" -- he who told the truth or those who told something less than the truth.

The more important question, which the Otepka case symbolizes, is whether or not the procedures which Otepka criticized, and which led him to be impaled on the horns of the dilemma, do allow genuine security risks to occupy sensitive State Department positions. The Department argues in the negative.

"We are not witch hunting any more," a spokesman says, adding that "we have no security risks, and he knows it." Otepka replies only that he does

not know of any Communists in the State Department. There are other kinds of security risks and the laxity exposed by Otepka leaves little reason for confidence in the Department's handling of its own security matters.

Perhaps Otepka is guilty of overzealousness in the performance of his duty. But if so, the American people are well served by such a man who at least places loyalty to duty and country above office politics.

Let us wish Otto Otepka well.

Frank J. Johnson

FRANK J. JOHNSON
ASC Washington Bureau

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UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 12-23-63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 24118-24148. Senator Dodd, (D) Connecticut, spoke regarding the Otto Otepka case and included numerous editorials on this subject. An editorial from the Richmond News Leader of October 22, 1963, stated "Otepka also strenuously objected when Harlan Cleveland, an Assistant Secretary of State, named a panel to study security procedures—and some of the men named, in Otepka's experienced opinion, had personnel records so derogatory that they should have had a full FBI investigation. Cleveland even went so far as to inquire what clearances would be necessary to bring Alger Hiss back into the State Department." On page 24129 an editorial captioned "Otepka Incident: Loosening of Security" from the November 22, 1963, issue of the Springfield (Illinois) State

REC-1

EX 104

65-68266-47
NOT RECORDED
126 JAN 9 1964

322 462 XEROX
57 JAN 16 1964 JAN 9 1964

The original of a memorandum captioned and dated as above, the Congressional Record for FRIDAY, 12-20-63 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Original Filed in 66-1731-493

Journal states "In his annual report for the 1963 fiscal year, J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned that the Communist Party in the United States, despite all the legal actions taken against it as a result of FBI investigations, is continuing its untiring efforts to advance the cause of world communism, but again has shifted its tactics. Its major aim now, the Bureau's report says, 'is to convey the impression that Communists are loyal citizens of the United States who merely hold political views which differ from those currently prevailing. They deny any direction from abroad and allege they are seeking change only through legal means.'" An editorial on page 24135 from the ~~Winston-Salem~~ (North Carolina) Journal of November 14, 1963, points out that "The firing of Mr. Otepka has brought anguished cries from some Members of Congress. Senator Dodd of Connecticut charged that Mr. Otepka did no more than to cooperate with the subcommittee and provide it with information 'that some of his superiors found embarrassing or objectionable.' The feud between executive departments and congressional investigators dates back many years. The House Un-American Activities Committee, seeking information in 1948 about the loyalty of a Government employee, instructed the Secretary of Commerce to transmit to it the full text of a letter from J. Edgar Hoover, director of the Federal Bureau of Investigation, reporting on the employee. The committee was rebuffed by President Truman, who ordered all Federal officials to reject any request from Congress for material from the loyalty files. He said the request should be referred to him for such response as he might determine to be in the public interest." Pages 24142-24144 contain a letter to Mr. Otepka from John Ordway, Chief, Personnel Operations Division, State Department, dated September 23, 1963, notifying Otepka of his proposed removal from his position. The letter states "On August 16, 1963, at Washington, D. C., you executed a voluntary sworn statement, dated August 15, 1963, before Carl E. Graham and Robert C. Byrnes, special agents of the Federal Bureau of Investigation. A copy of this statement is attached as exhibit A. Information contained therein will be referred to specifically in some of the charges listed below." Pages 24144-24147 contain Mr. Otepka's reply to the above letter.

2

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-19-2011 BY 60324 UCBAW/SAB/SBS

TO : The Director

DATE: 12/20/63

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Otto F. Pages 24733-24734. Congressman Cramer, (D) Florida, concerning the Otepka case. He stated "the facts stated in a confidential memorandum respecting certain conferences on November 19, 1962, presided over by Under Secretary of State for Administration, Mr. William Crockett, and attended by division heads and branch chiefs of the Office of Security, which memorandum comes from an unimpeachable source, indicate conclusively that Otepka is up before a kangaroo court, that the final outcome of the case is probably predetermined, and that a further investigation by Congress of the entire matter is fully justified." He included the text of the memorandum in the Record. Mr. Cramer also made reference to the Reilly-Hill cases. John F. Reilly was in charge of the Office of Security and Elmer A. Hill was chief of the

Technical Services Division of the State Department. Their resignations were accepted. Mr. Cramer went on to state "The statement by the State Department that the Reilly-Hill cases are unrelated to the Otepka case will not stand up under scrutiny. Reilly first went personally to the Justice Department with the Otepka case asking for an FBI investigation and seeking criminal action against Otepka for alleged violation of espionage statutes. - - - Reilly is the Department's principal witness against Otepka and Hill is an indispensable witness against Otepka if he is to be further prosecuted."

Original filed in: 66-1731-

165-68266-48
NOT RECORDED
191 JAN 13 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for *Thursday 12/19/63* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

15 JAN 17 1964

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: January 6, 1964

FROM : C. D. DeLoach

Otto Otepka

SUBJECT: "STATE DEPARTMENT SECURITY"
TESTIMONY GIVEN BEFORE THE
SENATE INTERNAL SECURITY SUBCOMMITTEE

For record purposes, there is attached one copy each of testimony given before the Senate Internal Security Subcommittee (SISS) in connection with the hearings conducted relating to "State Department Security:

Part I is the testimony of David I. Belisle, Special Assistant to Deputy Assistant Secretary for Security, Department of State, which was given before the Senate Internal Security Subcommittee on November 14, 1963, and is being released publicly by the Committee Tuesday, January 7, 1964.

Part II is the testimony of John F. Reilly, Deputy Assistant Secretary for Security, Department of State, which was given before the SISS on November 15, 1963, and is being released publicly by the Committee Monday, January 6, 1964.

Part III is the testimony of Elmer Dewey Hill, Department of State, which was given before the SISS on November 18, 1963, a continuation of previous testimony, and is being released publicly by the Committee Wednesday, January 8, 1964.

Additional copies of the printed testimonies will be furnished upon receipt from the SISS.

ACTION: NOT RECORDED

167 JAN 14 1964

For record purposes

- 1 - Mr. W. C. Sullivan
- 1 - Mr. J. F. Condon, Rm. 635 RB
- 1 - Mr. L. E. Short, Rm. 7742
- 1 - Mrs. Lorraine Whalen, Rm. 635 RB
- 1 - Mr. M. A. Jones

CDD:ejr

(7)

64 JAN 23 1964

62-39749

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

ORIGINAL FILED IN 62-39749

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: JAN 9, 1964

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 86-96. Senator Miller, (R) Iowa, spoke concerning security clearances in the State Department and the Otepka case. Mr. Miller placed in the Record excerpts from hearings held by the Senate Internal Security Subcommittee. This material contains testimony of State Department personnel as follows: John F. Reilly, former Deputy Assistant Secretary for Security; Elmer D. Hill, former Chief of the Division of Technical Services, Office of Security; David I. Belisle, special assistant to the Deputy Assistant Secretary for Security; and Thomas Ehrlich, Office of Legal Adviser. Mr. Miller also

included several newspaper articles on the Otepka case. ⁰ Otto Otepka is charged with giving classified documents to a congressional committee. Mr. Miller stated "This unfortunate and completely unnecessary situation apparently grew out of a relaxing of security standards in the State Department through the use of an emergency clearance procedure in an alarmingly large number of cases. It is reported that such a procedure, which permits the granting of a security clearance without the customary full-scale investigation, has been used more than 150 times during the past 3 years—compared to only 5 or 6 times during the 8 years of the Eisenhower administration. - - - If the Otepka case serves no other purpose, it should cause the Secretary of State to direct an almost complete elimination of these emergency clearances and a full-scale investigation of all of those persons who have heretofore been granted such a clearance—just to make sure that the relaxing of our security clearance procedure has not resulted in any undesirables getting into the State Department. I believe a full report of such action should be furnished the Congress."

Original: 64-1731-2248

65-68266-
NOT RECORDED
145 JAN 17 1964

277
57 JAN 22 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for JAN. 8, 1964 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 1/17/64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 140-142. Congressman Hosmer, (R) California, pointed out that "on December 30, last, the respected American Security Council issued a paper prepared by its Washington bureau chief, Frank J. Johnson, bringing up to date the facts on the Otto Otepka case." Mr. Hosmer included the text of this paper with his remarks. It is stated in this paper "on August 15, Otepka was subjected to an FBI interrogation, during which he voluntarily and openly recounted all his actions, including the fact that he turned over to Sourwine the two documents which proved Reilly's testimony to be incorrect as well as another unclassified document relating to personnel clearance procedures. Such a voluntary admission to the FBI concerning these documents strengthens the veracity of Otepka's denial of any knowledge of the burn bag clippings and supports the suggestion that they were plants. - - - Perhaps Otepka is guilty of overzealousness in the performance of his duty. But if so, the American people are well served by such a man who at least places loyalty to duty and country above office politics."

Page A44. Congressman Keith, (R) Massachusetts, extended his remarks to include an editorial entitled "Otepka Pays the Price" which appeared in the Standard Times on November 7, 1963.

~~NOT RECORDED~~
145 JAN 17 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for [redacted] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

2

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

TO : DIRECTOR, FBI (65-68266)

DATE: 1/24/64

FROM : SAC, WFO (65-9038) (P*)

SUBJECT: OTTO F. OTEPKA
ESPIONAGE X

As of interest to the Bureau, there are enclosed two copies of the 12/30/63, issue of "Nation's Security," published by the American Security Council and which contains an article captioned "The Case of Otto Otepka."

2 - Bureau (Encl. 2)
1 - WFO

RCB:sch
(3)

EX-114

REC-18

65-68266-49

28
JAN 27 1964

ENCLOSURE
ENCLOSURE ATTACHED

NAT. INT. SEC.

72 JAN 31 1964

- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Egan

Mr. Evans

2-7-64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

William J. Crockett, Deputy Under Secretary for Administration, Department of State, testified before this Subcommittee in executive session 1-28-64. Copy of transcript attached. Accompanied by Richard Frank, Office of Legal Advisor, State Department.

OTHER NOT UNDER PURVIEW OF FOIA

- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Nationalities Intelligence Section, Domestic Intelligence Division
- 1 - Liaison Section, Domestic Intelligence Division
- 1 - 140-22770 (William Arthur Wisland)
- 1 - 65-68264 (Otto F. Stepha)
- 1 - 161-1715 (Seymour Janov)

RECEIVED
FEB 12 1964

165-68264 -
NOT RECORDED
199 FEB 11 1964

Memorandum to Mr. Evans
RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section, Domestic Intelligence Division, for its information on Otto F. Otepka and to the Liaison Section for its information concerning discussion of liaison with FBI.

Any additional pertinent information in connection with this matter will be called to your attention.

HARRISON'S
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DRUG STORE

4700 WILLIAMSBURG AVE.
RICHMOND, VA.

WILLIAM P. HARRISON, MANAGER

SIXTY YEARS OF
SINCERE SERVICE
TO THIS COMMUNITY

Jan. 28, 1964.

Hon. A. Willis Robertson,
U.S. Senate,
Washington, D. C.

Dear Senator:-

The last time I sent to you a paper, disclosing what subversive forces are functioning in our Government, you wrote me saying that you had turned the paper over to The State Department for investigation. Soon after, I had a letter from The State Department, saying that all persons employed in that department had been examined carefully for subversive ideas etc. and were all qualified, and loyal Americans.

Well now, Senator, could anyone expect the State Department to say anything else? Does one expect a guilty person to admit his guilt? Frankly I just do not believe what the State Department said. When I read in the newspapers and magazines, and hear on the radio and T.V. of the dangers with which we are faced, I just do not believe it is all fairy tales.

As we know, this nation is the prime target of the Communist. We know of their determination to take us over. They know that when we fall, the other free nations will be easy prey. America is the only nation strong enough to stop Communism, but the Communist seem to out smart and out maneuver us at every turn.

I realize that we have a strong and alert F.B.I., but this agency is helpless to do anything about the subversives in the higher places in our Government. It seems that the Justice Department under Robert Kennedy has tied the hands of the F.B.I, as far as Government official are concerned.

I urge you, Senator Robertson, to read carefully the editorial of Mr. Henry J Taylor, which is inclosed. Mr. Taylor is no fool, nor is he an alarmist. He has been telling us citizens what is going on for a long time. Yet no one seems able to do anything about it. The other paper inclosed called Common Sense, must have some grounds for its charges. I do not believe any paper would publish such material without the ability to back up its charges. I urge you to read these two papers and turn them over to the F. B. I., NOT THE STATE DEPARTMENT. You and I know how termites work. In the dark and under cover. When they are found, it is often too late to save the day. Lets not let this happen to our nation, please.

From what I read and hear, many Americans are deeply and gravely concerned about the dangers we face. In my opinion, it is more important to find a way to stop this menace than any laws Congress can pass. Surely Congress and President Johnson cannot be blind to these matters. We know that the Communist do not want a shooting war, any more than we do. They expect to win without it. We must find a way to rid our Government of these termites. I do not know who can do it except Congress. That is why I am writing to you. If you are as much concerned about these matters as I am, I feel sure you will do your best to change conditions. We must realize that the danger is real and very great. We must take steps immediately. Please do so Senator. I must apologize for writing a long letter, but I think the situation justifies it.

Yours very truly,

Wm P Harrison

Please read Carefully, Thanks
UPH

Henry J. Taylor

Security Shake-up Overdue

SECRETARY OF STATE RUSK, Defense Secretary McNamara, CIA Director McCone are misinformed, again and again.

The White House and our highest officials are endlessly surprised, by Cuba, Laos, the Berlin Wall, the Dominican revolt, that Ben Bella's Algeria would be Red, by Indonesia, Haiti, Cambodia, Zanzibar, Panama. Surprise. Surprise, surprise!

The shock of treachery is a horrible burden for our new President to bear, but it is useless to deny the undeniable. The absolutely incredible sequence of misinformation and surprises points to the degree to which the Soviet has penetrated our United States government.

★ ★ ★

THE SAME DISCOVERY in West Germany all but broke the heart of their Chancellor Konrad Adenauer. He once told me that he considered the internal security of his Defense Ministry the best in the world. But when the grim diabolic truth overtook him, it was like a surgeon who performs a local operation only to find the whole body diseased.

The prize—and priceless—information the Soviet seeks is: what are the western powers' intentions and capabilities in each given situation?

This requires continuous tapping of top-secret circles of decision—penetration into the highest policy level. And there are traitors inevitably in every government in the world. Britain, France, Italy, Belgium, Japan, the Dutch, Sweden—none is spared. Neither is the United States.

For example, that our Central Intelligence Agency has been penetrated wholesale is a demonstrated fact (proven by reprisals against its agents).

We know that the high-level penetration of our government is the responsibility of a Kremlin bureau called the Confidential Administration of the Communist Party's Central Committee. We know its apparatus is the design of a Col. Fyedorovich Kuznetsov, the controlling brain of the first penetration of our atomic secrets. We know the lines lead back to an old Russian palace at 19 Znamensky Street in Moscow. We know its agents' emergency code word for this section is "The Center."

We also know "The Center" is

designated in Kremlin files as "RU" and is meshed with the foreign espionage network of the Red Army. But no enemy agent ever looks like one, and often their motives are utterly inexplicable. It is only by the pattern of their results that you can find them.

The incontestable proof occurs when you are led into repeated surprises and failures. It was never a coincidence that the Death Valley stage coach was repeatedly ambushed. The bandits were waiting behind the rocks. And they managed to be there because the prize was high.

In the first two years of the Eisenhower Administration, 2,200 security risks were weeded out of government jobs! This gives some indication of the size of the task.

But the Soviets are unequalled in patience and long-range planning. Their standard method is to wait for each new administration here and then inject their deep-cover people into every possible opening. For a turnover in government is always (and everywhere) the greatest opportunity for penetration.

Accordingly, the major penetration today arose from the administration turn-over in 1961.

★ ★ ★

IN THIS the USSR relies heavily on its "sleepy method." Russian administrators think nothing of obtaining a recruit, perhaps just out of college or on a faculty or in a laboratory, and not using him actively for perhaps eight or 10 years. Red cell members grease the way for him to advance. And, with a turn-over, he advances into sensitive areas of our government—with the White House, CIA, State Department and Pentagon the prime targets, and in that order of priority.

We abhor the traitor, perhaps more intensely than any other nation in the world.

But that President Johnson faces this treachery is as obvious as it is abhorrent.

There is only one place to make a beginning. President Johnson can move quietly on this; without embarrassment, if possible. But every man he knows who has demonstrably failed to protect the security of the United States, or at any time has lied on the job, must go—and at once.

British Persuaded To Approve Result Of Malaysia Talks

From Wire Dispatches
Attorney General Kennedy won the British government's approval yesterday for the results of his mediation efforts between Indonesia and Malaysia.

After a lengthy meeting between Kennedy and Prime Minister Douglas Home, the British issued a statement welcoming the cease-fire and the conference arranged by the Attorney General.

The foreign ministers of Indonesia, Malaysia and the Philippines will meet soon in Bangkok to prepare a conference of the heads of government of the three countries.

Britain hopes that the conference "will lead to a lasting peace in the area," the statement said.

The statement made no mention of the British reservations believed to have been expressed to Kennedy at the meeting in Chequers, the prime minister's country home. Foreign Secretary R. A. Butler, Defense Minister Peter Thorneycroft and Duncan Sandys, commonwealth relations secretary, also took part.

The British remain deeply skeptical about the intentions of President Sukarno of Indonesia, though Kennedy reportedly repeated yesterday what he told Butler on Friday: that he believes in the Indonesian leader's good faith in wanting the cease-fire to work and the conference to succeed.

Butler told the Attorney General then that Britain is prepared to go to war against Indonesia to uphold her commitments to Malaysia. The United States has refused to state what its attitude would be in such an eventuality.

At the moment, Kennedy believes, everyone concerned should concentrate on making the cease-fire work and getting a successful conference. At yesterday's meeting, Kennedy said,

British Gurkhas have borne the brunt of the Malaysian military effort, and the Indonesians have sought to use this fact as proof that Malaysia is simply a pretext by which Britain hopes to maintain her colonial domination of the area.

Sukarno has, in effect, called for Malaysia to cast off British protection as the price for ending the "confrontation" that he has said would "crush Malaysia as a British puppet."

WHEN YOU'RE REALLY HURTING!



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Please read this thru



COMMUNISM IS TREASON!
FIGHT IT WITH . . .

Common Sense

AMERICA'S NEWSPAPER AGAINST COMMUNISM

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Truth and nothing but
the Truth!"**

Without fear or favor,

Charles W. Chiles
FOUNDER AND EDITOR

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Issue No. 420 (19th Year)

Jan. 1, 1964

Second Class Postage Paid at Union, New Jersey, U.S.A.

FIVE CENTS

State Department Protects Traitors And Persecutes Patriots

State Department Intrigue

Informed Americans believe we are now living in the last days of this Republic. The most important single factor contributing to this sad state of affairs is that web of subversion, the STATE DEPARTMENT. Whether we survive or not will be determined by what you and I do about this vital organ of our government.

The Otepka Case

Otto F. Otepka, patriot and former Navy veteran, is the State Department career officer, who until recently served as Chief of the Evaluations Division in the Department of Security. He was fired ostensibly for giving testimony before a Senate Internal Security Committee, in violation of his superior's orders. Little attention has been given this matter in the press. Senator Dodd, who spearheaded the move to vindicate him



Otto F. Otepka

Slated for "liquidation" by the Invisible Government for opposing reds.

of State." No one knew better than Otepka the criminal law to which security regula-

have not only the right but the OBLIGATION to make available security information, and in so doing serve a higher loyalty. The United States Code, Title No. 5, paragraph 652 (d) clearly defines this:

"The right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress or any member thereof, or to furnish information to ~~any~~ house of Congress, to any Committee or member ~~and~~ Congress, to be denied."

The latest development in the Otepka Case indicates the utmost urgency with which every American patriot must get into this fight behind Otepka.

President Johnson has now entered the picture to mediate the Otepka dispute. And what does the President suggest? That justice be done? That a loyal American patriot be vindicated? That traitors be indicted and thrown out? Not at all

"The significance of the Otepka case cannot be overstated. He was the last old line security officer holding a top position in the office of security. He has been an employee of the U. S. Government over 27 years . . . His efficiency ratings have always been excellent. In 1958 he received the Meritorious Service Award from Secretary of State Dulles. But suddenly certain people in the Department decided Otepka had to go . . ."

WHY WAS OTEPKA REALLY FIRED?

Otepka fought against the hiring of Wm. Wieland. This is the character who, among other things, supported Fidel Castro before and after he came to power; lied on his job application; and who, according to the Senate Internal Security Subcommittee, failed to place in the hands of his superiors documentation that would have proven the pro-communist nature of Castro's movement. Otepka's opposition to Wieland sparked the move to bring about his dismissal. As he stated in his testimony before the Committee: "There were . . . serious questions of the man's integrity . . . that should be reviewed . . . under the foreign service regulations of the State Department."

The Senate Committee, concerned over laxity in Department Security regulations, called Otepka as a witness in March, 1963; also his superior, John F. Reilly, formerly one of Bobby Kennedy's boys in the Justice Department. Reilly contradicted everything Otepka had sworn to, claiming he had never seen reports which the former said he had presented to him. Dewey Hill, another superior, backed up Reilly in his testimony. In return testimony, Otepka PRESENTED DOCUMENTS WITH THE NOTES AND INITIALS OF THE VERY PEOPLE WHO SAID THEY NEVER SAW THEM! Obviously lying, Hill and Reilly were thoroughly discredited.

This was Otepka's crime. He gave factual important testimony before a Senate committee, at their request, which proved MOST embarrassing to his superiors. They held that he had violated "institutional loyalty" and that his conduct was "unbecoming an officer

traitors before. His opposition to John Patton Davies and the rehabilitation of convicted perjurer Alger Hiss are outstanding examples. He also put the defector spy, Irving Scarbeck, behind bars. It was a matter of what the Senate had a right to know. So Otepka did what any sincere—patriotic American would do.

"GESTAPO" TO "LIQUIDATE" OTEPKA

Edith Kermit Roosevelt, in her column (WANDERER, 10/17/63) details his ordeal.

"Otepka was told that he owed his primary loyalty to Secretary of State Dean Rusk, who has forbidden employees to testify for the Senate.

"This is a matter of principle," Otepka told me. "I couldn't be evasive on Capitol Hill because I knew things that the Senators had the right to know."

On June 27th Otepka was exiled by the State Department to a cubbyhole by himself. His duties were taken from him, and he was not permitted to receive his office mail. They have given him the nominal task of writing a manual on security procedures. This is the notorious "isolation treatment" that led to heartbreak and death of Whiting Willauer, whose original Bay of Pigs plan was emasculated.

Department higher-ups have launched a campaign of intimidation against Otepka. Cars are parked outside his home night and day. FBI agents questioned him for four days, August 17th-20th, on orders from Attorney General Robert Kennedy. They have also questioned his neighbors, prying into his family life, asking about his wife, a former schoolteacher, and his daughter, Joanne, an art major at Washington University in St. Louis."

As stated previously, all this ended in his dismissal. The affair carries tremendous significance. At issue is the right of an executive employee to furnish information to a congressional committee, regardless of any ruling to the contrary by his superiors. The outcome may determine the course of government operations for decades. The Senate Committee holds that the employees

Otepka can have his job back; he can even come back at the same rate of pay; but he can't go back to the same department. And this from the President of the United States! Otepka will not accept this. He insists the purpose behind his firing is to scrap the security evaluation program. Since his dismissal the program has been stopped.

When General MacArthur insisted on winning the Korean War, Truman, acting on orders from the Invisible Government, fired him. When General Walker's Pro-Blue Program met with success, the Invisible Government ordered his removal. Now the same with Otepka.

OTHERS FEEL WRATH OF GESTAPO

The move against Otepka should surprise no one. It has been Department policy all along to persecute and silence all patriots. He is but one of a number who have been given or are being considered for the "liquidation" treatment. One of these is the Director of the Passport Division.

MISS FRANCES KNIGHT

Trouble for Frances Knight started with the advent of the New Frontier. Heretofore, the Security Division, the Passport Division, and the Consular Affairs Division were in one unit, under one central head. But now the all-important Security Division was separated from the Passport and Consular Affairs Division. This resulted in less security and more bureaucracy. The Division became staffed with red New Frontiersmen.

The highly capable Miss Knight had long advocated in Congressional testimony more stringent laws to prevent the issuance of U. S. passports to communists. Because of this she became the victim of general harassment and was left hopelessly understaffed. Nonetheless, working with unrelenting zeal and risk to her health, she brought about a greatly improved passport system. A passport that formerly took from three to four weeks to obtain could now be processed within forty-eight hours, thus eliminating much red tape. Also, the communists found it more

—o— Please turn to page 2 —o—

WILLING PUPPETS OF INVISIBLE GOVERNMENT DANCE



Dean Rusk
Secretary of State



John Foster Dulles
Former Secretary of State



Christian Herter
Former Secretary of State



Dean Acheson
Former Secretary of State

State Department

—o— Continued from page 1 —o—

difficult to obtain passports. Word soon went out that Miss Knight had to "be kicked upstairs." Her efficiency and patriotism did not set well with her superior, one Abba Schwartz, Zionist, head of Consular Affairs, and member of a law firm that dealt largely with refugee cases. The State Department denied the existence of a memo calling for Miss Knight to be "kicked upstairs," (thus far unsuccessful) until the Senate Committee produced an actual photostat of the same!

The following excerpts from an article by Holmes Alexander (Human Events, 12/7/63), are significant:

The ~~rocked~~ reason for all this high level ~~flim-flam~~ is to break down the security system on personnel, to issue passports and visas to persons who otherwise wouldn't get them, and to prevent deportation of persons who otherwise would be deported.

Meanwhile, said the senator, he'd heard stories out of the House of Representatives about a criminal ring which deals for money in the visa and deportation mart. ~~The~~ in of crime and subversion, spiced with big name ~~from~~ ~~then~~ awaits an introduction that

THE CHARACTER OF THE STATE DEPT.

This Department is the giant that keeps growing. From a two-room apartment, with a secretary and four aides and an operating budget of \$6500, in 1781, the State Department had become a major operation by 1949 with 6000 U. S. employees and 11,000 in foreign lands. By 1959 it had 42,000 employees: 11,000 in the U. S. and 31,000 in seventy-five foreign countries. It boasts of 1200 buildings in 200 cities and an annual budget of near \$250,000,000!

As the budget increases, subversion and inefficiency increase. Former Pres. Hoover warned Eisenhower, when he was president:

"While you still control Congress overhaul the State Department. Reorganize this department so it can operate. You must cut it down, weed it out, and until it is done, no president will ever again control the executive branch of the United States."

We have warned our readers many times over the years of subversion in the State Department.

As early as May 25, 1946, we wrote:

"Which department do you think has the most ~~Reds~~ in the State Department or the O. P. A. A tip: Estimates on the State Department run from two to four thousand."

March, 1950:

"The State Department has grown beyond any bounds imagined by the Congress itself even ten years ago. It will spend . . . about half the expected 43 billion dollar budget . . . It controls in one way or another our foreign trade . . . all of our foreign and much of our domestic agricultural activities. It controls foreign loans . . . the administration of Germany and other occupied countries. Therefore we repeat; the investigation of the State Department is of the highest importance . . ."

The situation has worsened with each change in administration and has reached a new high in subversion under Dean Rusk.

DAVID DEAN RUSK

Rusk is a former Rhodes scholar who later became head of the Rockefeller Foundation and is now a member of the COUNCIL ON FOREIGN RELATIONS. The review of his background indicates strong ties with sinister, behind-the-scenes operations.

Dean Rusk was given charge of the British Empire Division of the red Office Of Strategic Services during W. W. II. Here he worked closely with his good friend the notorious pro-communist RALPH BUNCHE. He later became Deputy Chief of Staff under

will probably take place on the other side of the Hill.

Since the matter would find its way to the House Subcommittee on Immigration and Naturalization, I called upon its chairman, Michael Feighan (D-Ohio), who had heard the same ugly stories of purchased passports and visa deportation immunities.

"Many members have told me they're concerned about the rumors of developments in the immigration field," Feighan told me, but would vouchsafe no more.

We cannot help but wonder if Abba Schwartz knows anything about the ring referred to above and if this has any bearing on his aversion to Miss Knight.

JERRY JACKIS

Another patriot, a victim of unbelievable abuse by the State Department hierarchy is JERRY JACKIS. He is the former investigator for The Agency for International Development who uncovered the misuse of U.S. dollars in Cambodia. In June 1958, Mr. Jackis noticed materials with International Cooperations Administration markings, being used on a Soviet hospital project, part of an outstanding propaganda drive by the Soviets to bring Cambodia into their orbit. After Jackis reported this matter to his superior, Marlin F. Haas, he received an immediate dressing down. In less than twenty-four hours he found himself assigned as a janitor in a mission storage warehouse!

The usual harassment ensued. The high command finally dismissed him in 1962 after he received an unsatisfactory efficiency rating, the only such he had ever received. Jackis was subsequently re-employed after Representatives Hardy and Gross interceded. He has since resigned in disgust! Is it any wonder we have now lost Cambodia?

These are but three incidents where patriotism did not pay. There are other incidents too numerous to list. Such a situation could only exist in a Department controlled by traitors.

Aug. 18, 1946:

"Seventy-nine members of the State Department fired when Jimmy Byrnes sees Red. Acheson was obviously color-blind."

Feb. 9, 1947:

"We are convinced that Felix Frankfurter, although on the Supreme Court, has been and is Secretary of State. We are also convinced that Dean Acheson, who makes daily trips to Frankfurter for instructions and Benjamin V. Cohen will continue to run it for Felix Frankfurter. . . ."

Feb. 23, 1947:

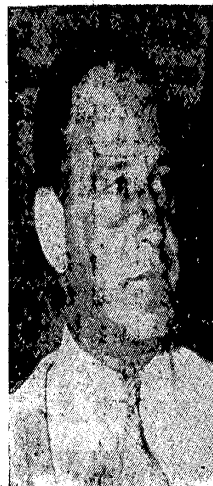
"The State Department is of course saturated with communists in Washington, and the Kremlin in Moscow is better informed of our affairs than is the average American citizen."

March 2, 1947:

"Acheson pushed Grew out because Grew opposed communist infiltration. Acheson, assisted by Benjamin V. Cohen protects more than 2000 Reds under him. . . ."

Sept. 5, 1948:

"Communists know Frankfurter has placed many judges; they know he also runs the State Department through Ben. Cohen, Alger Hiss and others."



James P. Warburg
Powerful member of Invisible Gov't.

his violent, pro-communist activities in the China-Burma-India theatre.

The following paragraph from "THE CHINA STORY," by Freda Uteley, page 121, reveals the true Dean Rusk, in his own unbelievable words:

"Not even Mao Tse Tung or Stalin ever ventured to give such a clean bill of health to the Chinese Communists as he. On June 14, 1950 Dean Rusk told the World Affairs Council Conference of the University of Pennsylvania, that the Chinese "Revolution" is "not Russian in essence" and "does not aim at dictatorship." He went further than almost any other State Department official in his desire to represent the Chinese Communists as good liberals who follow the American ideal. For he said that "THE REVOLUTION IN CHINA" is comparable "TO THE AMERICAN REVOLUTION AGAINST THE BRITISH."

Rusk entered the State Dept. in 1947 at the request of Dean Acheson, a Brandeis and Frankfurter protégé, as Assistant Secretary of State for Far Eastern affairs. It was Dean Rusk who, on the night of June 25, 1950, when the communists invaded South Korea, obtained permission from Acheson to ask Trygve Lie to convene a U. N. meeting the next day so the Korean effort by the American troops could be declared a U. N. enterprise! The Korean blood bath was a direct result of this action by Rusk. He figured prominently in the dismissal of General MacArthur (he wrote Truman's press release!). It was Lovett (a Frankfurter protégé) and Dulles who recommended Rusk to head Rockefeller Foundation.

Rusk has headed the GENERAL EDUCATION BOARD and has a trust agreement with the CHASE NATIONAL BANK. It is also a matter of record that David Dean Rusk attended the infamous secret meeting of the BILDERBERG CONFERENCE at St. Simon's Island, Georgia. The American headquarters of this occult group are in the

main m. book " " 111

ZIONISTS PULL STRINGS IN STATE DEPARTMENT



Walter W. Rostow
National Security—Foreign Policy



Benjamin V. Cohen
Executive Aide to FDR



Abba Philip Schwartz
Security—Consular Affairs



Roger Hilsman
Intelligence Chief—State Dept.

office of JOSEPH E. JOHNSON, president of the CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

Johnson had been Hiss's chief assistant in the State Department, and he became head of the Endowment after Hiss was exposed as a traitor!

Rusk was and is very friendly with Dean Acheson, another CFR stooge. Also, he did the maneuvering that brought about the recognition of Israel in 1948.

In view of Rusk's record and background, could we expect anything but treason?

LATEST BOMBHELL!

Two top State officials played prominent parts in the re-entry of Oswald, the communist who murdered the President, into this country: Llewellyn Thompson, then ambassador to Moscow and Abram Chayes now chief legal officer of the State Department. The admitting of Mrs. Oswald actually violates the immigration act.

The FBI report, "An Investigation Of The Assassination of President Kennedy," recently completed, reveals that Mrs. Oswald's father is a Colonel in the Soviet Military

by Bobby. JFK had to back down under ADA pressure.

WHAT CAN YOU DO?

1. Encourage the Senate Internal Security Committee in their efforts to vindicate Otepka.
2. Encourage the House Judiciary Committee under Representative Feighan, which is delving into the Oswald passport scandal. Demand the Immigration Department be cleaned up.
3. Support Senate FREEDOM OF INFORMATION BILL S-1666. This Bill seeks to amend the "Administrative Procedure Act of 1946" so as to "clarify and protect the public's right to know . . . what goes on in all U. S. Government agencies." (New York Daily News 11/11/63). Bureaucrats will then have to answer legitimate questions.
4. Demand an investigation of the State Department. DAVID DEAN RUSK SHOULD BE REMOVED. Demand to know why the State Department alone refuses to cooperate with Congressional Committees.
5. ADA & CFR rule must be abolished.

idea of a free society bears scant resemblance to the free society as conceived by our country's founders.

The Fund worries about the citizen who pleads the Fifth Amendment and is concerned about the Federal Bureau of Investigation investigations. It dislikes loyalty checks and oaths, and accusations made by Congressional investigating committees, especially the House Committee on Un-American Activities. Should a witness at a probe refuse to discuss allegations of Communism against him, the Fund rushes to his defense and sheds tears over his rights, but if a state is deprived by Federal Court edict of the right to operate its public schools as it sees fit, the Fund thinks that is only Constitutional. It rallies around the Fifth Amendment Americans, but it does not know a thing about the American principle that government derives its just powers from the consent of the governed. It is concerned about the influence of American industry on government, but it has not the least interest in some agencies of big government who seek to exercise dictatorial control over concerns owned by stockholders.

~~Emergency Service~~ The House Judiciary Committee is about to question a number of State authorities concerning this Oswald scandal, including Abraham Chayes and Abba Schwartz.

The latest developments and the chief actors in this drama of subversion are not surprising. It is a known fact that Jews run the Immigration Department. How do you suppose the millions of Jews Hitler was alleged to have killed ever got into this country? When the Soviets received our money plates, with which they printed billions, and which the U. S. taxpayers (you and I) redeemed, thousands of aliens poured into America, most of them Jews, their pockets full of this money (your money). This explains their takeover of the main street property in many towns.

Attorney General Clark admitted 15 years ago that 2000 illegal entries came into the U. S., per day, a large percentage of these being Jews. When we received the first group of Hungarian refugees, after the 1956 revolt, it was found that most were communists, and according to the late Congressman Walters, most were Jews!

CONCLUSION

Back in 1950, Conde McGinley stated:

"It is the Zionist-Communist clique in Washington which is responsible for the present state of affairs (reds in the State Department) and without the aid of that clique, the pro-Soviet employees could not retain their jobs."

ZIONIST INVISIBLE GOVERNMENT

The Establishment (Council On Foreign Relations) runs the State Department. No secretary will make a move without checking with McCloy. The ADA, a Marxist front, pushing national Socialism, has a strong hand in State policy. At least fifty members of the ADA are in significant federal positions. The same can also be said of the CFR. No policy move is made without checking with these fronts. Think this is an exaggeration? Ask Bobby Kennedy why his late brother did not fire Bowles who had made a fool of JFK and had been cussed out

The Fund for the Republic

By J. Johnston McCauley

On January 22, 1963, a group of crypto-Communists, Communists and Socialists, met in the ballroom of the Americana Hotel, New York City, for the purpose of raising \$20 million, without which the Fund for the Republic will be unable to function. Among those present were: Robert Hutchins, Adlai Stevenson, Clifford Case, Robert Kennedy, Henry Schlesinger, Cyrus Eaton, William Douglas, Joseph Clark, Adolph Schmidt, George Ball. Many patriots will chuckle with glee if the Fund dies of lack of funds.

Since it was organized (1953), with Ford Foundation money (\$15 million), it has been the angel for the forces creating confusion. It is possible, however, that the parent Ford Foundation may furnish these twenty millions, but all indications are that the parent is deeply ashamed and embarrassed by its "pinko" offspring.

The Fund refers to itself as "an educational institution." It professes an interest in civil rights and a free society, but it is curiously selective about its defense of civil rights. Its



Sidney J. Weinberg

Top man in the Council on Foreign Relations.

who are American citizens.

The Fund says America has "developed to a fine point in recent years the art of rumination by due process of law." What it really has in mind is the fact that some teachers are barred under state laws from teaching because they failed to answer questions on Communist affiliations propounded to them by Boards of Education. It is, of course, the paymaster of scores of anti-sovereign states' rights.

It has spent perhaps millions, giving money to groups to stir up trouble (keep the people fighting among themselves), and to make people resentful of existing social arrangements.

Finally, the Fund for the Republic is an enemy of the people. It is a foe of progress, because it is in the business of stirring up trouble. As a general rule, it has sympathy for the anti-anti-Communist and criticism for the sincere foe of Marxian and Fabian Socialism and radical agitation.

Who did you say was President?

Who's Who 1959 - 1960

ISAAC JACK MARTIN

Asst. to Pres., U. S., Born Cincinnati, July 18, 1908; son of Isaac M. and Clara Huttenbayer Martin; Student U. of Penn. LL. B. - U. of Cincinnati 1932 - married Barbara Cohn, Apr. 11, 1937; children Donald Jack, Judy Barbara. Admitted Ohio Bar '32; practiced in Cincinnati 1932 - 40. Asst. prosecutor Hamilton Co. 1933 - '40; admitted Pa. Bar 1941; practiced in Philadelphia, 1941 - 43. Admr. Asst. to Sen. Robert Taft, 1944 - '53. Pres. of the U. S. since 1953. Mem. Phi Epsilon Pi. order of Coif. Jewish Religion. Home: 9614 Hillridge Drive, Kinsington, Md. Office: White House, Washington, D. C.

This is exactly as it reads!

READ AND PASS ON

CHRISTIAN LEADERS DUPED

Marxist Writers Promote Anti-Christian Films-Plays

FILM

Rome, Nov. 7 (AP) — "Movie producer **Otto Preminger**, a Jew, has received the **Grand Cross of Merit from the Knights of the Holy Sepulchre**, a Roman Catholic Order. He was cited at the ceremony in Rome for his picture, *'The Cardinal'*".

Otto Preminger arrived in the United States during World War II as a refugee seeking asylum. He was immediately aided by **Herman Shumlin**, **Lillian Hellman**, etc. and eventually landed at 20th Century Fox as actor-director and later as a producer. He is well-known for producing "controversial" films such as *'The Moon Is Blue'* (sex, virginity) and *'The Man With The Golden Arm'* (dope addiction). Both of these films were produced without the producers' seal of approval regarding suitable material for the screen (N.Y. News, 11/10/63).

Preminger was also responsible for *'Anatomy of a Murder'* (rape), and *'Advise and Consent'* (about perverts, blackmailers and subversives in the U. S. Gov't.). His greatest feat was *'Exodus'* in which he employed Communist writer **Dalton Trumbo** as screen-writer. Trumbo was sentenced to jail from June 9, 1950 to April, 1951, for contempt of Congress. The **Hollywood Reporter** in 1946 published the Communist party (U.S.) book numbers of Trumbo (No. 36802) and **Ring Lardner, Jr.** (No. 25109). (Chicago Tribune, 11/10/46). Lardner will be the screen writer for Preminger's next picture *'Genius'*.

'The Cardinal', for which Preminger has received Cardinal Cushing's blessing, plus the above-mentioned Grand Cross of Merit from the Roman Catholic Church, has only one real-life character, **Cardinal Inuitzer**, of Vienna, Austria. Preminger has departed

ducer **Herman Shumlin**, who was so helpful in getting **Otto Preminger** started in Hollywood during World War II. Shumlin has been cited by the House-Un-American Activities Committee and the California Un-American Activities Committee for association with the following Red Fronts: **American Committee for Protection of Foreign Born**; **Harry Bridges Defense Committee**; **American Committee to Save Refugees**; **Joint Anti-Fascist Refugee Committee**, etc. He was tried for contempt by the House Un-American Activities Committee and fined \$500.00 (Documentations of Reds and Fellow-Travelers in Hollywood and TV by Myron Fagan).

Shumlin recently appeared on **Barry Gray's** radio show and referred to the late **Pope Pius XII** as a "criminal." **Frank Conruff**, writing in the **N. Y. Journal American** (12/9/63), condemns Shumlin's forthcoming production of *'The Deputy'* mainly because the play's author, a West German Protestant, has also written "anti-semitic" poems. In the true spirit of brotherhood, the ADL has come to the rescue with a 40 page pamphlet released by the National Catholic Welfare Conference. "The Pope sent out an order that religious buildings were to give refuge to Jews, even at the price of great personal sacrifice on the part of their occupants. Thousands of Jews — between 4,000 and 7,000 — were hidden, fed, clothed and bedded in 180 known places of refuge in Vatican City." (12/1/63, N.Y. Times).

To reach the source of the controversy, we must turn to **Records of the Nuremberg Trial** hearings, Volume XI, regarding **Lammers**, chief of the Reich chancellery and contact-man between Hitler and the ministers: "Lammers: I asked him (Himmler) what was really meant by the order of the

ence; May Day Parade; Negro Labor Victory Committee; Veterans of Abraham Lincoln Brigade, etc. **Harry Kurnitz**: Actors' Lab Theatre; Committee for the 1st Amendment; Hollywood Democratic Committee; Hollywood Independent Citizens Committee of the Arts, Sciences and Professions; Screen Writers' Guild; Los Angeles Emergency Committee to aid the Strikers.

BALLET

The Ford Foundation has recently made a grant of \$7,756,000 toward the future of American (?) Ballet. The only catch is that this money is being awarded mostly (5,925,000) to two individuals in New York City, **Lincoln Kirstein** and **George Balanchine**, who are experts in the Russian style of ballet. (N.Y. News, 12/22/63). Kirstein brought Balanchine over here from Russia in 1933 and has spent over \$750,000 on his career. (Time magazine, Dec. 27, 1963). The head of the Ford Foundation is **John McCloy**, former U.S. disarmament negotiator and High Commissioner in Germany. (U.S. News & World Report, 12/23/63).

McCloy is one of the impartial members of **Earl Warren's** 7 man commission appointed to investigate the "facts" in the late President's murder.

"The New United Nations"

"It is indispensable to keep in mind that what we call the United Nations today is not what the United Nations started out to be. A sharp distinction must be drawn between the constitutional provisions of the Charter and the manner in which the agencies of the United Nations, under the pressure of unforeseen political circumstances, have actually performed their functions under the Charter . . . The international government of the United Nations, stripped of its legal trimmings, then, is really the international government of the United States and the Soviet Union acting in unison."

from Henry Morton Robinson's novel, and injected some of his own pet ideas into the film. Cardinal Innitzer's great crime was his devotion to the German cause and more particularly the approval by the Cardinal and the other Austrian Bishops of Hitler's union of Austria and Germany. On March 18, 1938, the Austrian Bishops issued a joint statement which read in part: "We are also of the conviction that through the activity of the National Socialist movement the danger of the wholly destructive and godless Bolshevism will be forestalled." (*Munich National-Zeitung*, 7/12/63). There are false charges in the film to the effect that Cardinal Innitzer's sermons were censored by Nazi officials, and that the Cardinal substituted "Heil Hitler" for "Praised be the Lord."

It is interesting to note here that the only "believable" characters in "The Cardinal" who have any spiritual quality or depth are Cardinal Glennon and Father Ned Halley, played respectively by John Huston and Burgess Meredith. (N.Y. Times, 12/13/63). Better known as a film director, Huston has been cited by the House Committee on Un-American Activities and California Committee as an effective leader of the Commie cause in Hollywood (Hollywood for Sane). Burgess Meredith has also been cited by the House and California Committee for association with many Red fronts including Thought Control; Committee for the 1st Amendment; Film and Photo League, etc. Nice guys to be playing the part of priests with "spiritual depth"!! (See Myron Fagan's Red Documentations of Hollywood Stars).

STAGE

Paris, Dec. 14 (UPI) — "Fist fights broke out between police and Catholic youths demonstrating in front of the Athenae Theatre last night in protest against Rolf Hochhuth's play "The Deputy." The play implies censure of Pope Pius XII for alleged failure to condemn the Nazi massacre of European Jews."

"The Deputy" is being planned for a February, 1964 opening on Broadway by Pro-

ducer of the Jewish question. Timmler replied that he had received the order from the Fuehrer to bring about the final solution of the Jewish problem—or rather Heydrich and his successor had that order—and the main point of that order was that the Jews be evacuated from Germany."

One of the biggest hits on the Broadway stage is "A Funny Thing Happened On The Way To The Forum" starring Zero Mostel, son of Rabbi Israel Mostel. Mostel has been cited by the House Committee on Un-American Activities and at the U. S. Senate hearings for association with these Red fronts: Functionary at Communist Party rallies and social events; Joint Anti-Fascist Refugee Committee; American Youth for Democracy; Civil Rights Congress; May Day Parade Sponsor.

On Dec. 22, 1963, Paul Robeson returned to the United States of America. Mrs. Robeson had this to say upon arriving in New York City: "He (Robeson) thinks Communism is terrific, and he always will." (N.Y. News, 12/23/63). Robeson once referred to America as "insolent and dominating" and called the Soviet Union "the country I love more than any other." Robeson did make one revealing statement to the press on Dec. 22: "I've been part of the civil rights movement all my life." Paul Robeson was greeted at the airport by his white daughter-in-law, the former Marilyn Greenberg. (N.Y. Times, 12/23/63). Some 20 years ago, Robeson starred in a Theatre Guild production of "Othello" with Jose Ferrer. While Robeson wound up in his beloved Russia, Jose Ferrer is currently on Broadway in "The Girl Who Came to Supper," written by Harry Kurnitz.

Ferrer and Kurnitz have both been cited by the House and California Committees on Un-American Activities for Red front affiliations: Jose Ferrer—Committee for the 1st Amendment; Joint Anti-Fascist Refugee Committee; American Committee for the Protection of the Foreign Born; Artists Front to Win the War; National Council of Arts, Sciences and Professions (to abolish the House Committee); Win the Peace Confer-

Taken from pages 375 and 376 of the November, 1958 edition of COMMENTARY, a magazine published by the American Jewish Committee, New York, N. Y.

THERE'S ALWAYS SOMETHING LEFT

When the world has crashed about
your feet,
And the skies are sombre grey,
When you feel that life is over
And there's nothing left to say,

Turn your eyes toward the Master
He will always see you through,
He will open up new vistas,
That He's keeping — just for you.

When your soul is most despondent
And of all you are bereft
That's the time to trust the Master,
For there's always something left.

— Mary Lavinia Silvia

OUR SINCERE THANKS FOR THE
MANY BEAUTIFUL CHRISTMAS CARDS
AND MESSAGES OF ENCOURAGEMENT
WE HAVE RECEIVED. IT IS NICE TO
KNOW WE HAVE SO MANY FRIENDS.

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United States Senate

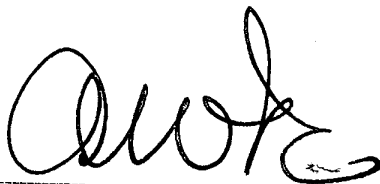
Washington, D. C., February 11, 1964

Respectfully referred to

Mr. Cartha D. DeLoach
Assistant Director
Federal Bureau of Investigation
Washington 25, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

EX-103

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t


A. Willis Robertson

U.S.S.

U. S. GOVERNMENT PRINTING OFFICE 16-45102-2

t
REC-16 65-68266-50

12 FEB 20 1964
491

3 ENCLOSURE
ENCLOSURE ATTACHED
~~ENCLOSURE~~

A. WILLIS ROBERTSON, VA.
JOHN SPARKMAN, ALA.
PAUL H. DOUGLAS, ILL.
JOSEPH S. CLARK, PA.
WILLIAM PROXIRE, WIS.
HARRISON A. WILLIAMS, JR., N.J.
EDMUND S. MUSKIE, MAINE
EDWARD V. LONG, MO.
MAURINE B. NEUBERGER, OREG.
THOMAS J. MCINTYRE, N.H.

WALLACE
JOHN G. T.
JACOB K. J.
MILWARD L.
PETER H. DON
N.Y.C.
COLO.

MATTHEW HALE, CHIEF OF STAFF

United States Senate
COMMITTEE ON BANKING AND CURRENCY

February 11, 1964 (28)

Mr. William F. Harrison
Manager, Harrison's Drug Store
4700 Williamsburg Avenue
Richmond, Virginia

Dear Mr. Harrison:

As requested in your letter of January 26, I have turned over to the FBI the two enclosures you attached.

I will let you know promptly whatever action that agency takes and reports to me.

With best wishes, I am

Sincerely yours,

A. Willis Robertson

ROBERTSON - encl (REF)
HARRISON - NAL

65-68266-50
ENCLOSURE

February 14, 1964

REC-16

EX-103

Honorable A. Willis Robertson
United States Senate
Washington, D. C. 20510

otto z. otepka

My dear Senator:

Your communication of February 11th has been received, and I appreciate your bringing to our attention the enclosures relating to Mr. William P. Harrison's inquiries.

Pursuant to Executive Order 10450, commonly referred to as the Federal Employee Security Program, the FBI is charged with checking against its files the names and fingerprints of applicants, employees and appointees, in the Executive Branch of the Federal Government. When allegations of possible disloyalty exist--whether disclosed by this check of our files or by other sources--it is our responsibility to conduct an investigation. Our reports are transmitted to the interested Federal agencies for their review and decisions as to action without recommendations or comments by the FBI. I want to assure you that this Bureau is continuing to handle its responsibilities with the same dispatch and thoroughness that have characterized its investigations in the past.

Of course, if your constituent has evidence that any Government employee is disloyal, he should feel free to immediately contact our office located at 501 Southern States Building, Richmond, Virginia 23219.

Sincerely yours,

J. Edgar Hoover

MAILED 111

FEB 14 1964

COMM-FBI

1 - Richmond - Enclosures (3)

Attention SAC: William P. Harrison is not identifiable in Bufiles. In addition to the enclosed material, Mr. Harrison also sent Senator Robertson a copy of the 1/1/64 issue of "Common Sense" containing a story attacking the State Department in connection with the highly publicized Otto Z. Otepka case.

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

See Note page 2.

MAIL ROOM ☐ TELETYPE UNIT ☐

REC'D-READING ROOM
FBI

FEB 14 4 33 PM '64

Honorable A. Willis Robertson

NOTE: Bufiles indicate we have had generally cordial relations with Senator Robertson (Democrat-Virginia). The column by former Ambassador Henry J. Taylor has previously been submitted to us and correspondents have been answered by telling them of our responsibilities under Executive Order 10450.

BEST COPY AVAILABLE

- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Egan

MR. Evans

2-10-64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

[redacted] Legal Advisor, State Department, and
[redacted] Special Assistant to Director of Personnel, State
Department, testified before this Subcommittee in executive session
1-27-64. Copy of transcript attached. OTHER NOT UNDER PURVIEW OF FOIA

b6
b7C

- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Research Satellite Section, Domestic Intelligence Division
- 1 - Liaison Section, Domestic Intelligence Division
- 1 - Soviet Section, Domestic Intelligence Division
- 1 - Internal Security Section, Domestic Intelligence Division
- 1 - 149-53779 (William Arthur Wieland)
- 1 - 65-68566 (Otto F. Stepha)
- 1 - 149-53518 (Ervin C. Sarnbeck)
- 1 - 149-51188 (Edward Alan Synans)

NOT RECORDED

167 FEB 25 1964

59 MAR 4

END:pjh (14)

Memorandum to Mr. Evans
RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

This memorandum together with its attachment should be routed to the Domestic Intelligence Division for the information of the Nationalities Intelligence Section concerning Otto F. Gienka; for the information of the Soviet Section concerning [redacted] and for the information of the Research-Satellite Section concerning the testimony involving Americans formerly assigned to the U. S. Embassy, Warsaw, Poland.

b6
b7C

Any additional pertinent information in connection with this matter will be called to your attention.

UNITED STATES GOVERNMENT

Memorandum

ST
TO : The Director

DATE: 2/4/64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page 1634. Congressman Stinson, (R) Washington, placed in the Record an article from the February 1st issue of the Washington Evening Star entitled "Secret List Names 800 as Possible Risks." The article stated "A list of potential security risks in the State Department, kept secret since it was prepared in 1956 by a now-deceased departmental security chief, has been turned up by congressional investigators." The list was dated June 27, 1956, and signed by Scott McLeod, former administrator of the Bureau of Security and Consular Affairs, State Department. The article points out that the Senate Internal Security Subcommittee met in closed session last week with a State Department official to find out what action was taken, how many of the employees were cleared and number still in the Department. The article goes on to state "The witness, according to congressional sources, provided no information but is to be questioned again after he has consulted with top State Department officials. It was understood, however, that officials in the State Department were deeply concerned about the appearance of the list in the hands of the committee. - - - The last of the security officials in the Department from the McLeod regime was Otto F. Otepka, who is now fighting dismissal charges filed against him by the Department."

Original filed in: 66-1731-2457

65-68266
NOT RECORDED
176 FEB 14 1964

322
In the original of a memorandum captioned and dated as above, the Congressional Record for Monday 2/3/64 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

1 - Wacks

Mr. J. Walter Yeagley
Assistant Attorney General

March 18, 1964

Director, FBI

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to this Bureau's letter dated
November 7, 1963.

It is requested that we be advised whether
prosecution is contemplated in this matter and whether
further investigation is warranted.

65-68266

JFW:klw
(4)

NOTE:

Subject is the State Department employee who was
charged by State with furnishing the Senate Internal Security
Subcommittee classified and unclassified information and
documents from the files of the Department of State. We
conducted an investigation at the request of the Department of
Justice and upon conclusion of investigation requested the
Internal Security Division in our 11/7/63 letter for an
opinion as to prosecution. The Internal Security Division
was followed orally on 1/10/64. It is felt at this time, in
view of the notoriety this case has aroused, that we should
send the Department instant letter.

REC-122

EX-115

19 MAR 18 1964

MAILED 10

MAR 18 1964

COMM-FBI

Tolson _____
Belmont _____
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Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

57 MAR 23 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

Mr. Evans

2-26-64

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

William G. Boswell, Deputy Chief of Mission, American Embassy, Cairo, United Arab Republic (former Director, Office of Security, State Department) testified before this Subcommittee in executive session 2-17-64. Copy of transcript attached. Accompanied by [redacted] Office of Legal Adviser, State Department.

b6
b7c

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section, Domestic Intelligence Division for its information concerning Otto F. Otepka.

NOT RECORDED

Any additional pertinent information in connection with this matter will be called to your attention.

Enc.

62-39749

1 - 66 MAR 13 1964
1 - Domestic Intelligence Division
1 - Nationalities Intelligence Section

RME:pjh (10)

1 - Liaison Section
1 - 65-68266 (Otto F. Otepka)
1 - 140-22779 (William A. Malone)

ORIGINAL FILED

1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

Mr. Evans

BEST COPY AVAILABLE

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

Following State Department personnel testified before this
Subcommittee in executive session 1-22-64.

Transcript attached.

ENC.

1 - Mr. Mohr
1 - Crime Records Division
1 - Domestic Intelligence Division
1 - Nationalities Intelligence Section, Domestic Intelligence Division
1 - Liaison Section, Domestic Intelligence Division
1 - 67-465016 (John E. Norpel, Jr.)
① - 65-88286 (Otto F. Stepka)
1 - 161-1716 (Raymond Janow)
1 - 140-28779 (William Arthur Wieland)
1 - 140-28777 (John Martin Cates, Jr.)

NOT RECORDED

167 FEB 14 1964

ENC:DJM

(14)

3V7

ORIGINAL FILED IN

Memorandum to Mr. Evans

RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section, Domestic Intelligence Division for its information concerning Otto F. Otepka and for its information concerning security violations by State Department personnel involving classified information.

Retyped page _____ of memo _____ to _____
dated _____ re: _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

Addendum

JTW:jmw

OTHER NOT UNDER PURVIEW OF FOIA

There is only one point in this testimony of interest
to ~~Nationalities Intelligence~~ Section not mentioned above.

This, however, was not called to our attention
by State, and in view of the circumstances, we would take no action.
The other items of interest to this Section require no action.

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan *wcs*

FROM : W. R. Wannall *wrw*

SUBJECT: OTTC F. OTEPKA
ESPIONAGE - X

1 - Mr. Belmont 1 - Liaison *also*

1 - Mr. Mohr

1 - Mr. DeLoach

DATE: 3-20-64

1 - Mr. Sullivan

1 - W. R. Wannall

1 - J. F. Wacks

Tolson ☒

Belmont ☒

Mohr ☒

Casper ☒

Callahan ☒

Conrad ☒

DeLoach ☒

Evans ☒

Gale ☒

Rosen ☒

Sullivan ☒

Tavel ☒

Trotter ☒

Tele. Room ☒

Holmes ☒

Gandy ☒

Department has declined prosecution of subject, Chief, Division of Evaluation, Office of Security, State, for misuse of classified documents and unlawful removal of Government documents.

Subject is State Department official against whom State, on 9-26-63, preferred administrative charges alleging he gave classified and unclassified State documents to Jay Sourwine, Chief Counsel, Senate Internal Security Subcommittee, in connection with hearings being held by Subcommittee pertaining to personnel security at State. We investigated this case at request of Department to ascertain whether Otepka had violated espionage statutes or theft of Government property statutes. Case presented to Department for prosecutive opinion 9-10-63 and upon completion of additional investigation requested by Department facts again presented for opinion on 11-7-63.

By letter 3-18-64, Internal Security Division advised Otepka could not be successfully prosecuted for violations of espionage statutes since it could not be proved that he was "willful" in furnishing classified documents to Sourwine and it was doubtful if national defense character of the classified documents could be proved. Prosecution declined insofar as possible violation of theft of Government property concerned, since it could not be proved that Otepka's removal of documents from State files was "willful and unlawful."

ACTION:

Enclosed for approval is letter to Department of State indicating that Internal Security Division has declined prosecution in this matter and we are conducting no further investigation.

Enclosure *sent 3-24-64*

JFW:gov

(8)

REC-28

EX-108

12 MAR 27 1964

65-68266 APR 20 1964

1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

Mr. Evans

3-19-64

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

PURPOSE - Purpose of this memorandum is to advise that captioned Subcommittee continued hearings on State Department security in executive session 3-5-64 with following testifying: [redacted]

[redacted] testified [redacted]

OTHER NOT UNDER PURVIEW OF FOIA

[redacted] testified [redacted]

OTHER NOT UNDER PURVIEW OF FOIA

Enc.

1 - Crime Records Division	1 - 140-22779 (William A. Wieland)
1 - Domestic Intelligence Division	1 - 116-145030 (John L. Topping)
1 - Nationalities Intelligence Section	1 - 140-20977 (John Cates, Jr.)
1 - Liaison Section	
1 - Internal Security Section	
① - 65-38206 (Otto F. Otepka)	
1 - 161-2101 (Abba P. Schwartz)	

RHE:pjh
(15)

145

Memorandum to Mr. Evans
Re: Senate Internal Security Subcommittee
State Department Security

OTHER NOT UNDER PURVIEW OF FOIA

DIVISION OF EVALUATIONS - [REDACTED]

VISA OFFICE - [REDACTED] testified [REDACTED]

ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section for its information concerning Otto F. Otepka and to the Internal Security Section for its information concerning discussion of visa matters.

Any additional pertinent information in connection with this matter will be called to your attention.

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Egan

Mr. Evans

3-16-64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

b6
b7C

[redacted] American Consul General, Curacao, Netherlands
Antilles [redacted] Bureau of
Security and Consular Affairs - SEA) testified before this Subcommittee in
executive session 3-3-64. [redacted]
who entered on duty 1-21-41 and resigned 2-12-47. Copy of transcript
attached. Accompanied by Richard A. Frank, Office of Legal Adviser, State
Department.

OTHER NOT UNDER PURVIEW OF FOIA

Enc.
62-39749

NOT RECORDED

167 MAR 27 1964

- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Administrative Division

RHE:pjh

(12)

58 APR 7 1964

- 1 - Nationalities Intelligence Division
- 1 - Liaison Section
- 1 - 65-68268 (Otto F. Otepka)
- 1 - 67-183498 (Harris H. Houston)

Memorandum to Mr. Evans
RE: SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section, Domestic Intelligence Division, for its information concerning Otto F. Otepka.

Any additional pertinent information in connection with this matter will be called to your attention.

FEDERAL BUREAU OF INVESTIGATION

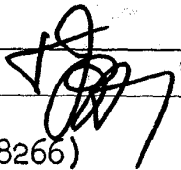
REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN WASHINGTON FIELD	DATE APR 14 1964	INVESTIGATIVE PERIOD 3/3 - 4/6/64
TITLE OF CASE OTTO F. OTEPKA		REPORT MADE BY SA ROBERT C. BYRNES	TYPED BY nlh
		CHARACTER OF CASE ESPIONAGE - X	

REFERENCE: Bureau routing slip 3/20/64 and enclosure from J. WALTER YEAGLEY, Assistant Attorney General, Internal Security Division, United States Department of Justice.

- C -

ADMINISTRATIVE DATA:

The attached report is being classified "CONFIDENTIAL" inasmuch as the Department letter, referred to therein, is classified "CONFIDENTIAL."

APPROVED 	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: (5-Bureau (65-68266)) (2-Washington Field (65-9038)) COPIES DESTROYED R209 SEP 23 1970 <i>White House</i> <i>PAT</i>		65-68266-54	REC-104
		3 APR 16 1964	
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS NAT. INT. SEC.	
AGENCY <i>State, R.R.</i>			
REQUEST RECD.			
DATE FWD. <i>4-27-64</i>			
HOW FWD. <i>R/S</i>			
BY <i>J.F.W./lary</i>			

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~

Copy to:

Report of: ROBERT C. BYRNES
Date:

Office: Washington, D. C.

Field Office File No.: **APR 14 1964**
65-9038

Bureau File No.: 65-68266

Title: OTTO F. OTEPKA

Character: ESPIONAGE - X

Synopsis: Justice Department advised that prosecution of subject for violation of Title 18, USC (Espionage), Section 793 (d) and Title 18, USC, Section 2071 (Unlawful Removal of Government Documents) was declined.

- C -

DETAILS: AT WASHINGTON, D. C.

Under date of March 18, 1964, Mr. J. WALTER YEAGLEY, Assistant Attorney General, Internal Security Division, United States Department of Justice advised by letter that results of this investigation had been reviewed by his Division. He noted that consideration had been given to a possible violation of Title 18, United States Code, Section 793 (d) (Espionage) and Title 18, United States Code, Section 2071 (Unlawful Removal of Government Documents). It was noted that consideration of the evidence under the Espionage Statute was confined to the three documents which OTTO F. OTEPKA admitted had been furnished by him to Mr. SCOURWINE which were classified and which originated in the Department of State. In view of the facts as described in the signed statement of the subject, it was considered extremely doubtful that the transmittal of the classified documents by subject was "willful" within the meaning of Title 18, United States Code, Section 793 (d). With respect to the classification of the three classified documents involved, it was noted

~~CONFIDENTIAL~~

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R20-6
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GROUP 1
Excluded from automatic
downgrading and
declassification

~~CONFIDENTIAL~~

WFO 65-9038

~~CONFIDENTIAL~~

that strong reservations by the Justice Department were held regarding the ability of the government to sustain the burden of establishing to the satisfaction of the jury that the content related to the national defense within the meaning of the Espionage Statute. With regard to the possible violation under Section 2071, it was noted that the government again would be faced with the burden of establishing willfulness and in this connection the Justice Department did not feel that the evidence was sufficient to meet this burden of proof and accordingly, prosecution for both Sections 793 (d) and 2071 was not contemplated.

- 2* -

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

CHARLES M. TEAGUE
13TH DISTRICT, CALIFORNIA

Congress of the United States
House of Representatives
Washington, D. C.

June 30, 1964

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

wcps
V

OTTO OTEPKA

The Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Department of Justice
Constitution Avenue between 9th and 10th Streets
Washington, D. C.

Dear Sir:

I would appreciate any comments you might have regarding
the enclosed.

May I thank you in advance for your prompt reply.

Sincerely,

Charles M. Teague
CHARLES M. TEAGUE, M. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

CMT:jd

Enclosure - *Return to Cong. Teague -*

65-68266

NOT RECORDED
JUL 14 1964

MAILED - JUL 14 1964

JUL 1 1964

INT. SEC. 7

EX-100
JUL 1 1964
REC'D
NO
ORIGINAL FILED IN 137-2528-39

merrell & each mem
7-6-64
DFC/ell
279
ENCLOSURE
JUL 21 1964

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-15-64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

SENATE

Page 11503. Senator Thurmond, (D) South Carolina, commented on the appearance of Secretary of State Rusk before the Senate Commerce Committee to testify in support of a civil rights bill being considered by the committee. Mr. Thurmond stated "One of the most glaring denials of civil and statutory rights of an American citizen has been in process within Mr. Rusk's own State Department since June 27, 1963, when six security officers entered the office of State Department Security Evaluator, Otto O. Otepka, and seized his records, the contents of his safe, and expelled Mr. Otepka from his office." He pointed out that Mr. Otepka had requested a hearing but such had not been granted. Mr. Thurmond went on to state "Since the administrative procedures within the State Department designed for the protection of the rights of individuals have broken down, there is apparently no recourse but for the Congress to enact additional legislation to insure that individual rights are protected. A simple remedy for this situation is for the Congress to provide that an employee who finds himself in a position similar to that of Mr. Otepka shall have a cause of action against his superior officers in the Federal district court of the United States for such damages as he may incur as a result of unwarranted actions taken by his superiors." Mr. Thurmond introduced a bill (S. 2872) for this purpose. A copy of the bill will be secured.

Original filed in: 65-1731-

65-68066
NOT RECORDED -
29 JUN 15 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for 5-27-64 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

74 JUN 17 1964

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-9-64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

otto 7 Otepka

Pages A3041-A3043. Congressman Younger, (R) California, extended his remarks to include an article entitled "Otepka Limbo, but Security Case Is Still Explosive" written by Cecil Holland and published in the Sunday Star of June 7th.

Original filed in: 66-1111-2546

65-68266-
NOT RECORDED
141 JUN 26 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for [redacted] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 4 13-64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 7351-7352. Senator Thurmond, (D) South Carolina, spoke concerning the treatment of certain State Department employees. He stated "I refer, of course, to the case of Mr. Otto F. Otepka and to the additional persons, including Mr. Harry M. Hite and Mr. John R. Norpel, Jr., who have now apparently been subjected to the same type of discriminatory treatment earlier given Mr. Otepka." Mr. Thurmond included with his remarks the following two articles written by Clark Mollenhoff: "Security Aide Otepka Is Still Harassed After Senate Disclosure," from the Minneapolis Sunday Tribune, April 5, 1964, and "Two Protest Demotions for Backing Otepka on Security Regulations," published in the Des Moines Register on April 8, 1964. The second article cites the cases of Harry M. Hite and John R. Norpel, who allege they were transferred as the result of their support of Otto Otepka. The article states "Norpel, a former FBI agent with 17 years of experience in the Federal Government, stated in his petition that high State Department officers had 'falsely contrived evidence created solely to harm Mr. Otepka.'" (John R. Norpel, Jr., was employed with the Bureau as an Agent from April 23, 1951, until May 12, 1961. His services were satisfactory.)

Original filed in: 66 1731-2000

65-68266-

NOT RECORDED

167 APR 28 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for 4-10-64 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

72 APR 28 1964

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE:

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 7421-7426. Congressman Bromwell, (R) Iowa, discussed the case of Otto F. Otepka, former State Department security evaluator. He states "Six men who continued to associate with him have been transferred and their clearance to handle security matters has been removed. - - - Three of them, Mr. Harry M. Hite, Mr. John R. Norpel, Jr., and Mr. Edwin A. Burkhardt, have filed petitions with the Civil Service Commission charging that they have been removed from their assignments because they supported Mr. Otepka. - - - Mr. Norpel is a former agent of the Federal Bureau of Investigation with 17 years of experience in Government." Congressman Gross, (R) Iowa, inserted letters by Hite and Norpel to the Appeals Examining Office,

U. S. Civil Service Commission. Hite's letter refers to FBI investigation in the Otepka case. He pointed out that he was interrogated by the FBI indicating he believed this was at the instigation of Mr. Reilly (former Deputy Assistant Secretary for Security). Hite went on to state "In the course of these FBI interrogations, I criticized Mr. Reilly's tactics and also informed the FBI of my views concerning the handling of certain personnel security cases by the Department, and about deficiencies in security procedures. I staunchly defended Mr. Otepka to the FBI. I am certain that my statements to the FBI were made available to Mr. Reilly and to Mr. Belisle." Norpel, in his appeal letter, refers to his period of FBI employment and commendations received. He states he was interrogated by the FBI in the Otepka case and "Since Mr. Reilly was instrumental in obtaining the FBI's investigative services, I am sure my statements were made available to him and Mr. Belisle."

Original filed in:

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

SECRET

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 07-19-2011

Olson _____
Belmont _____
Mohr _____
DeLoach _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. DeLoach

DATE: 7-6-64

FROM : D. C. Morrell *sem/gm*

SUBJECT: CHARLES M. TEAGUE
REPRESENTATIVE OF THE STATE OF CALIFORNIA

op
sr
Captioned individual, by letter dated June 30th, submitted an open letter published by the Citizens Coordinating Council, Santa Barbara, California, soliciting citizen participation in a meeting to be held in the Santa Barbara High School Auditorium which was to be addressed by Frank A. Capell and possibly Otto Otepka.

The open letter contains an article, by Guy Richards, which is alleged to have appeared in newspapers across the country and recorded in the Congressional Record concerning the penetration by Reds of U. S. Secret Agencies. The article by Richards concerns an unnamed defector from the Soviet Secret Police who informed U. S. officials that Moscow has placed active cells in the Central Intelligence Agency and the Department of State in Washington and overseas.

The open letter furnished by captioned individual also contains the allegation that Otto Otepka, a former top security evaluator for the Department of State, was fired when he disagreed with a scrapping of security regulations.

(S) The defector from the Soviet Secret Police referred to above is undoubtedly [redacted] In the recent past he has made public allegations of communist infiltration of CIA and the State Department which he has never substantiated. Bufiles reflect that [redacted] has manifested indications of being, at present, mentally unbalanced.

- 1 - Mr. DeLoach - Encs
- 1 - Mr. Sullivan - Enc's
- 1 - Mr. Jones - Enc's
- 1 - Mr. Evans - Encs

65-68266-
NOT RECORDED
184 JUL 14 1963

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DFC:cll

(6) *cll*

64 JUL 21 1964

SECRET

CONTINUED - OVER

ORIGINAL FILED IN 137-2528-40

b1
b6
b7C

SECRET

Memorandum to Mr. DeLoach
Re: Charles M. Teague

Otto Otepka, as you know, is the former Department of State Security Evaluator who was dismissed from this position by the Department of State for allegedly giving information to the Senate Internal Security Subcommittee. While Otepka is still officially on the payroll of the Department of State he is to be afforded a hearing sometime in the near future for possible termination.

[redacted] is a former criminal informant of this Bureau with whom all contact was terminated when [redacted] anticommunist activities. He claims wide knowledge of communist activities and extensive contacts with individuals connected with anticommunist activities both in this country and abroad. The Citizens Coordinating Council is not identifiable in Bufiles.

Captioned individual's communication solicits the Director's comments but there is no indication of whether he is requesting the Director's opinion of the content of the open letter or an identification of the individual mentioned therein. Our relations with Teague have been generally cordial.

OBSERVATIONS:

In view of the background of [redacted] and his erratic behavior, captioned individual should be contacted and be tactfully advised

(S)

Inasmuch as Otepka is an employee of the State Department, and the problem regarding him is an internal matter concerning that agency, it should be also tactfully suggested to captioned individual that he contact the Department of State concerning his interest in Otepka.

RECOMMENDATION:

That someone in your (Mr. DeLoach's) office contact Congressman Teague and advise him as indicated above.

↓
Handled
7-9 edr
AA Winkler

yes
JPW/11
Bz

✓

7-6-64

SECRET

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b7C

b1

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: *Oct 1-64*

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page A4989. Congressman Nelsen, (R) Minnesota, extended his remarks to include an article written by Don Brown, editor of the Waseca, Minnesota, Herald, entitled "Wake Up America." Mr. Nelsen pointed out that Mr. Brown is among many editors in the Second Congressional District of Minnesota who have taken a strong stand against the State Department handling of the Otto Ctepka case, and its refusal to fire William Wieland. Mr. Brown sets forth background information on Wieland and makes reference to his (Wieland) statements regarding meetings with Castro. Mr. Brown stated "Knowing that Wieland had lied Secretary of State Dean Rusk cleared him. It that shocks you listen to this. Rusk was about to assign Wieland to a highly sensitive post in Germany. It was more than FBI Chief J. Edgar Hoover could stand and he went to Attorney General Robert Kennedy. We all might thank God that in Kennedy the Nation had a man of action. He issued an order blocking the Wieland assignment."

2

165-68266
NOT RECORDED
170 OCT 13 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for *Sept 30-64* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

394
68 OCT 14 1964

Original filed in: *66-1731-01*

1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Ryan

Mr. Evans

8-5-64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

PURPOSE - To advise Senate Internal Security Subcommittee continued
hearings in executive session 7-22-64 when following State Department
personnel testified:

[REDACTED]

OTHER NOT UNDER PURVIEW OF FOIA

[REDACTED] testified that [REDACTED]

[REDACTED]

[REDACTED] testified that [REDACTED]

[REDACTED]

[REDACTED]

Enc.

1 - 161-2101 [REDACTED]
① - 65-68266 (Otto F. Otepka) b6
1 - Crime Records Division b7C

1 - Domestic Intelligence Division
1 - Nationalities Intelligence Section
1 - Research-Satellite Section

7-27-64 41984

ORIGINAL

Memorandum to Mr. Evans

**Re: Senate Internal Security Subcommittee
State Department Security**

OTHER NOT UNDER PURVIEW OF FOIA



ACTION: This memorandum and its attachment should be forwarded to The Domestic Intelligence Division for its information concerning Otto Otepka, Yasui and other matters outlined in this memorandum.

Any additional pertinent information in connection with this matter will be called to your attention.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8-8-64

FROM : N. P. Callahan

SUBJECT: The Congressional Record

OTTO F. OTEPKA

Pages 17352-17354. Congressman Bromwell, (R) Iowa, requested to have placed in the Record an article from the Des Moines Register of August 3, 1964, captioned "Rusk's Touchy Chere: Deciding Fate of Controversial Underling." The article comments on the William Wieland case, the State Department employee listed as a security risk by State Department security officer, Otto Otepka. The article stated "Otepka had made a decision there was not sufficient evidence to label Wieland disloyal or a Communist, but he had found that Wieland had given incorrect information to Government officials on several matters. Otepka ruled Wieland should be forced to resign because of this questionable integrity. Despite this finding by Otepka, Wieland was cleared by Secretary of State Rusk's office. Wieland was about to be assigned to a highly sensitive post in Germany when FBI Chief J. Edgar Hoover went to Attorney General Robert F. Kennedy to express concern." The article goes on to comment on information furnished to State Department regarding Fidel Castro's Communist connections advising that "most of this information was stopped at Wieland's desk and did not go to higher officials." Mr. Bromwell stated "Members who have been interested in the abuse which Otto Otepka and certain of his subordinates have received from the Department of State, and for that matter, the Civil Service Commission, will be interested to learn, incredible though it may seem to them, that there is a strong possibility that Mr. William Wieland may be restored to full status as a Foreign Service officer. . . . It has been reliably reported that a three-man panel has concluded that Wieland should not be fired from the State Department but should be reinstated."

Pages 17446-17451. Senator Miller, (R) Iowa, spoke concerning the William Wieland case and included the same article from the Des Moines Register that was placed in the Record by Congressman Bromwell and set forth in this memorandum.

65-68266
NOT RECORDED

126 AUG 19 1964

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-4-64 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in the appropriate case or subject matter files.

70 AUG 21 1964
100T 237

ORIGINAL FILED IN 66-1731-127

Mr. Evans

8/11/64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

**PURPOSE - To advise that Senate Internal Subcommittee continued
hearings in executive session 7/28/64 at which following State
Department personnel testified:** [redacted]

b6
b7c

[redacted] Copy of
transcript attached. [redacted] was subject of extensive investi-
gation by Bureau under Federal Employee Security Program and
President Kennedy in news conference 1/24/62 said [redacted] cleared
by State. This Subcommittee has conducted extensive hearings
involving [redacted]

OTHER NOT UNDER PURVIEW OF FOIA



- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Research-Satellite Section
- 1 - Nationalities Intelligence Section
- 1 - Liaison Section
- 1 - 65-68266 (Otto F. Otepka)

NOT Mr. Belmont
170 AUG 10 1964
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

b6
b7c

RHE:afb
(12)

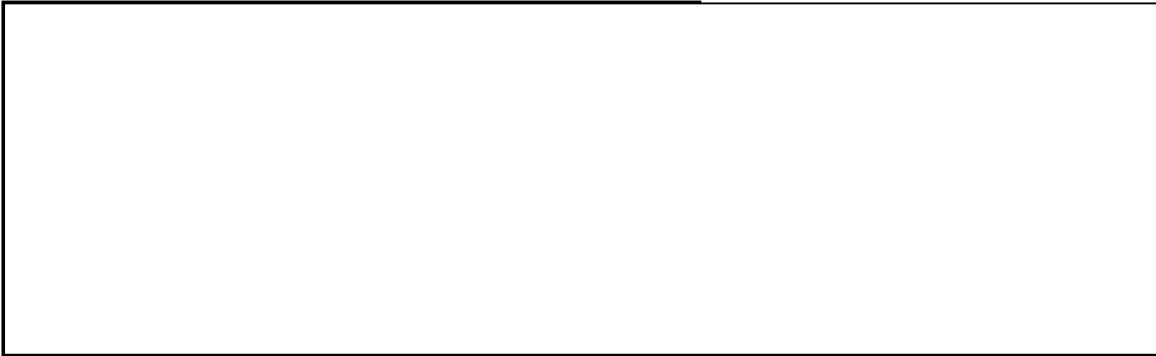
ORIGINAL FILED IN 62-11217-292

237

69 AUG-21 1964

Memorandum Cleveland to Evans
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE

OTHER NOT UNDER PURVIEW OF FOIA



ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section for its information concerning Otto F. Otepka.

Any additional pertinent information in connection with this matter will be called to your attention.

Tolson _____
 Belmont Am
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach ✓
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 Tele Room _____
 Holmes _____
 Gandy _____

CAPITAL LETTER:**Blast Due in Otepka Case**

By RUTH MONTGOMERY

WASHINGTON: The long-smoldering case of Otto Otepka, who was summarily removed by the Kennedy Administration as deputy chief of the State Department's security office, is nearing a congressional climax. The Senate Internal Security Subcommittee's report is expected to blast Otepka's superiors.

An unimpeachable source said the final witness scheduled is Deputy Undersecretary of State William Cracker. Shortly thereafter, the committee will release a report which could provide Republicans with campaign fodder during an election year.



MONTGOMERY

"President Johnson will not be pleased with the report," one Democratic source said. "It will strike forcefully at certain officials who are still highly placed in the department. It will then be up to Secretary Dean Rusk."

A committee member said executive hearings have produced evidence of "some flagrant leaks of executive testimony."

He predicted Rusk will be forced to call a department hearing on the Otepka case, after release of the Senate report.

The case erupted in the headlines a year ago this month, when the State Department served notice on Otepka that he was being fired as chief of the security office's evaluation division for actions "unbecoming to an officer" of the department. He was accused of passing confidential information to unauthorized persons to the Senate Internal Security Subcommittee dur-

ing its investigation into the department's security procedures.

His Congressional defenders counter-charged that the real reason was Otepka's conscientious effort to do his job too well.

Otepka's job was first downgraded in 1962, after he protested that Secretary Rusk had granted 152 security "waivers" to high-ranking State Department personnel pending a more complete background investigation.

Otepka reportedly discovered that although derogatory information, including possible Communist affiliation, had been turned up about some of these persons in agency checks, they nevertheless were being allowed to handle classified material.

Otepka, a professional security officer, went to the State Department in 1953 as a personnel security evaluator. Two major personnel security cases on which he personally worked were those of John Stewart Service, who had been separated from the State Department in 1950 for turning over documents to Philip Jaffe, publisher of Amerasia, but was ordered reinstated by the Supreme Court six years later; and William Wieland, who had a hand in shaping U. S. policy towards Cuba before and after Fidel Castro's take-over.

Otepka's personal difficulties apparently began after he objected to security clearances given to Wieland and Service.

Republicans will have a month to capitalize on the Otepka case, if they decide to make a campaign issue of State Department security.

Hearst Headline Service

Watch for Ruth Montgomery's penetrating observations in The Journal-American on weekdays.

D. J. F. [unclear]
Bar [unclear]
 WADKS
 RMC13 RB
 165-68266-A
 NOT RECORDED

The Washington Post Herald _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star _____
 New York Herald Tribune _____
 New York Journal-American 222
 New York Mirror _____
 New York Daily News _____
 New York Post _____
 The New York Times _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date _____

SEP 6 1964

152

fli
 65-68266
 9-12

Mr. Evans

9-2-64

(9-3-64)

W. V. Cleveland

~~SECRET~~

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

Classified by ~~SP-7 MAC/AB~~
Declassify on: OADR 6-5-84
F18 6-14-84

ST
KT
PURPOSE - To advise that Senate Internal Security Subcommittee (SISS)
continued hearings in executive session 8-17-64 at which the
following State Department personnel testified: [redacted]
Copy of transcript attached.

OTHER NOT UNDER PURVIEW OF FOIA

Enc.

- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Research-Satellite Section
- 1 - Nationalities Intelligence Section
- 1 - Liaison Section
- ① - 65-68266 (Otto F. Otepka)

REC:wgj
(12)

64 SEP 14 1964

~~SECRET~~

CONTINUED - OVER

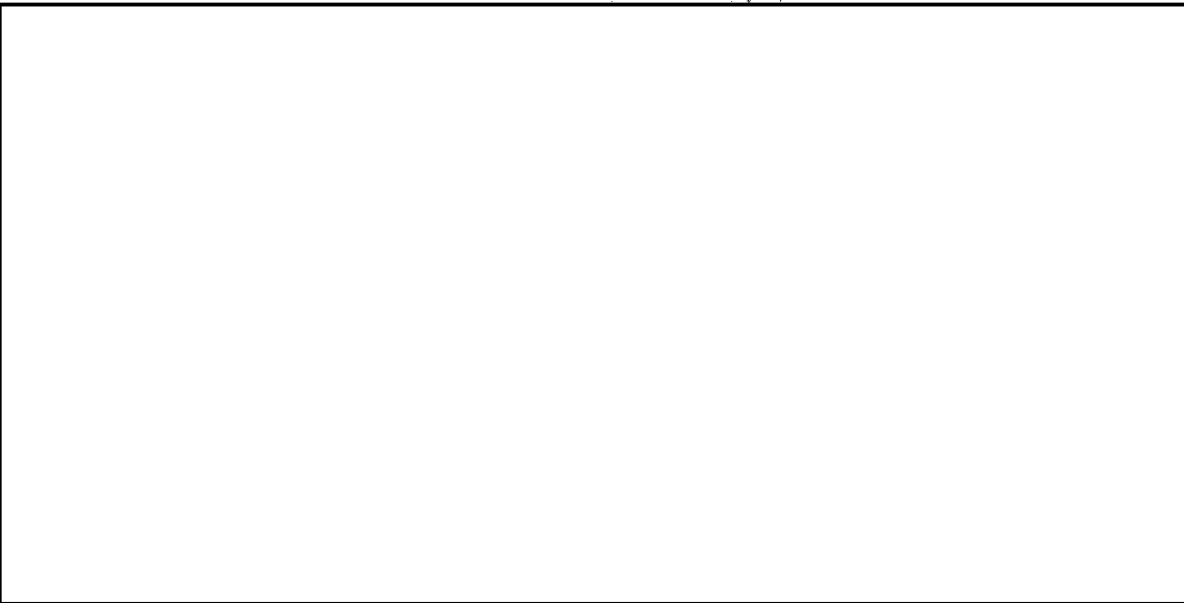
65-68266-
NOT RECORDED
176 SEP 16 1964
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan
1 - Mr. Carlson

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

ORIGINAL FILED IN

Memorandum Cleveland to Evans
Re: Senate Internal Security Subcommittee
State Department Security

~~SECRET~~
OTHER NOT UNDER PURVIEW OF FOIA



ACTION:

This memorandum and its attachment should be routed to the Nationalities Intelligence Section for its information concerning Otto F. Stepka.

Any additional pertinent information in connection with this matter will be called to your attention.

RECEIVED FROM

AUG 31 1964

STATE DEPT OHB

INR-Mr Hughes

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

August 25, 1964

esa

Dear Mr. Chairman:

Mr. Otto Otepka testified before the Subcommittee on August 17, 1964. The transcript of Mr. Otepka's testimony has not yet been received by the Department. I would appreciate your making this transcript available so that Mr. Otepka may correct it and so that the Secretary may have the opportunity to review it.

Otto F. Otepka Sincerely yours,

Robert E. Lee
Acting Assistant Secretary
for Congressional Relations

65-68266-

NOT RECORDED

1 SEP 15 1964

The Honorable
James O. Eastland, Chairman,
Subcommittee on Internal Security,
Committee on the Judiciary,
United States Senate.

file
65-68266
(OTTO F. OTEPKA)
7-17C

H:JSLeahy,Jr.:ti

INR - Mr. Hughes O - Mr. Crockett
L - Mr. Meeker

133
67 SEP 17 1964

WAX
63 RO

Mr. Evans

8/11/64

W. V. Cleveland

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

b6
b7C

PURPOSE - To advise that Senate Internal Security Subcommittee continued hearings in executive session 7/24/64 when following State Department personnel testified: [redacted] Copy of transcript attached. Testimony of [redacted] subject of separate memorandum.

OTHER NOT UNDER PURVIEW OF FOIA



- ENC. NOT RECORDED
1 - Crime Records Division
1 - Domestic Intelligence Division
1 - Internal Security Section
1 - Nationalities Intelligence Section
1 - Research-Satellite Section

- 1 - 65-68266 (Otto F. Otepka)
1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan

RHE:afb
(12)

ORIGINAL FILED IN

Memorandum Evans to Cleveland
Re: SENATE INTERNAL SECURITY SUBCOMMITTEE

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

This memorandum should be routed to Domestic Intelligence Division for its information concerning Otto F. Otepka (Nationalities Intelligence Section) and passport matters (Internal Security Section).

Any additional pertinent information in connection with this matter will be called to your attention.

Mr. Evans

9-1-64

W. V. Cleveland

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Egan

SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY

b6
b7C

PURPOSE: To advise that Senate Internal Security Subcommittee
continued hearings in executive session 8-11-64 at which following
State Department personnel testified: [redacted]

[redacted] and [redacted] Copy of transcript attached. [redacted]
[redacted] was also State Department observer. OTHER NOT UNDER PURVIEW OF FOIA

Enc.

- ① - 65-68266 (Otto F. Otepka)
- 1 - 121-13347 [redacted]
- 1 - 140-22779 [redacted]
- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Nationalities Intelligence Section
- 1 - Internal Security Section
- 1 - Research Satellite Section
- 1 - [redacted] Section

b6
b7C
RECORDED
SEP 22 1964

CONTINUED - OVER

CWS:pjh (15)

ORIGINAL FILE

Memorandum to Mr. Evans
Re: Senate Internal Security Subcommittee
State Department Security

OTHER NOT UNDER PURVIEW OF FOIA

ACTION: This memorandum and its attachment should be routed to the Nationalities Intelligence Section for its information concerning Otto F. Otepka.

Any additional pertinent information in connection with this matter will be called to your attention.

Mr. Evans

9/2/64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT**

PURPOSE:

To advise that Senate Internal Security Subcommittee continued hearings in executive session 8/12/64, at which [redacted] assigned to Foreign Service Institute, and [redacted] Deputy Director for Visa Policies and Special Programs, testified. They were accompanied by [redacted], State Department Observer. Copy of transcript attached.

b6
b7c

OTHER NOT UNDER PURVIEW OF FOIA

Enc.

- 1 - Crime Records Division
- 1 - Domestic Intelligence Division
- 1 - Nationalities Intelligence Section
- 1 - Liaison Section
- 1 - Research-Satellite Section
- 1 - 65-68266 (Otto F. Otenka)
- 1 - 77-54517 [redacted]

17 SEP 15 1964
1 - Mr. Belmont
1 - Mr. Evans
1 - Mr. Cleveland
1 - Mr. Egan
1 - Mr. McCaslin

b6
b7c

88 SEP 15 1964/53

CONTINUED - OVER

Memorandum to Mr. Evans
Re: Senate Internal Security Subcommittee

OTHER NOT UNDER PURVIEW OF FOIA

ACTION:

1. In view of information regarding Otepka, this memorandum should be referred to the Domestic Intelligence Division
2. Any additional pertinent information in connection with this matter will be called to your attention.

Mr. Evans

9/3/64

W. V. Cleveland

**SENATE INTERNAL SECURITY SUBCOMMITTEE
STATE DEPARTMENT SECURITY**

PURPOSE:

To advise that Senate Internal Security Subcommittee continued hearings in executive session 8/13/64 at which

[redacted] testified. All are State Department personnel. Copy of transcript attached. Accompanied by Richard A. Frank, State Department Observer.

OTHER NOT UNDER PURVIEW OF FOIA

Enc.

NOT RECORDED

170 SEP 10 1964

1 - Crime Records Division	1 - Mr. Belmont
1 - Domestic Intelligence Division	1 - Mr. Evans
1 - Nationalities Intelligence Section	1 - Mr. Cleveland
1 - Liaison Section	1 - Mr. Egan
1 - Internal Security Section	1 - Mr. Hetherington
1 - Research-Satellite Section	
1 - 65-68266 (Otto F. Otepka)	
1 - 121-13347 (John Stewart Service)	
1 - 140-22779 (William Arthur Wieland)	

CONTINUED - OVER

39 SEP 23 1964

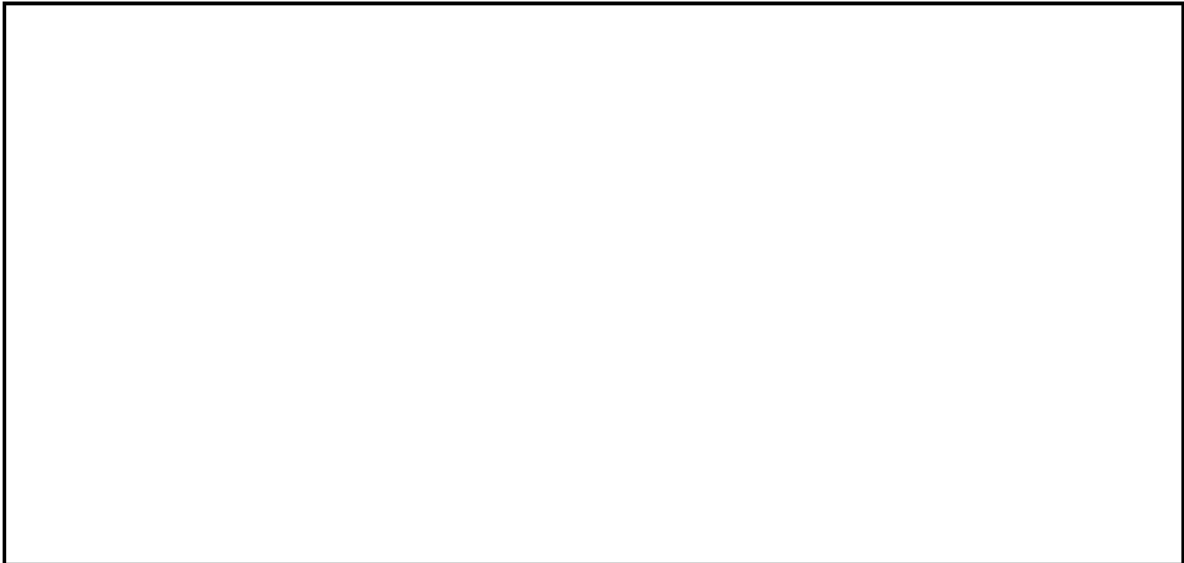
(15)

b6
b7c

ORIGINAL FILED IN

Memorandum to Mr. Evans
Re: Senate Internal Security Subcommittee

OTHER NOT UNDER PURVIEW OF FOIA



ACTION:

This memorandum, together with its enclosure, should be routed to Nationalities Intelligence Section for its information concerning Otto F. Otepka.

Any additional pertinent information in connection with this matter will be called to your attention.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

TO : DIRECTOR, FBI (65-68266)

DATE: 9/14/64

FROM : SAC, WFO (65-9038) (C)

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X
OO:WFO

On 9/10/64, [redacted] Bureau of Inter-American Affairs, U. S. Department of State, Washington, D. C. (and formerly assigned to the Evaluations Branch, Office of Security, State Department, along with the subject), mentioned in conversation with SA [redacted] WFO, that the hearing at the Department of State in connection with the subject's case has been scheduled for 11/16/64. At this administrative hearing, which is the result of the subject's appeal from his dismissal from the Department of State, OTEPKA planned to call thirty-six witnesses in his behalf, although one of these persons has since died. Several of these witnesses are now overseas on official assignment, and one is believed to have resigned from the Government.

[redacted] explained that after this hearing is held, the hearing examiner (who may or may not be a State Department official) will prepare a recommendation based on the record of the hearing and will submit same to the Director of the Office of Personnel, State Department, or to the Deputy Under Secretary of State for Administration. Secretary of State DEAN RUSK has stated that he will personally review the case, and the late President JOHN F. KENNEDY stated that he would also review the matter before any administrative action was taken.

2- Bureau
1- WFO

AHS:pac
(3)

REC-45

EX-112

6 SEP 1964

NAT. SEC. *[Signature]*

350
58 SEP 22 1964



WASHINGTON REPORT

Washington, September 28, 1964

WR 64-31

THE STRANGE CASE OF OTEPKA'S ASSOCIATES

Lost in the hue and cry accompanying disclosures in the case of the State Department vs. Otto Otepka is the fate of seven of Otepka's associates in State's Office of Security.

The story behind what has happened to these men in recent months is one of the strangest in the State Department's history. The seven associates who stood by him have been transferred from their sensitive posts in an unusual manner. The action appears to be an attempt to weaken the vital personnel security program in the State Department.

One of the seven, Billy N. Hughes, was coerced into accepting a routine job as a department investigator in Memphis, Tennessee, last January. The other six -- Edwin A. Burkhardt, Francis V. Gardner, Harry M. Hite, Raymond A. Loughton, John R. Norpel, Jr., and Howard T. Shea -- were reassigned en masse to the Bureau of Inter-American Affairs in mid-March.

In justifying this transfer, the Department said that six of the seven had been shifted to a "top secret" project. Others have charged that the assignment to a top secret project was to seal their lips and avoid further Congressional criticism. The project in question, however, is one that the State Department has been toying with for a dozen years. It involves at least 36 Latin Americans working for international agencies in Washington.

These employees are alleged to be Communist agents. They hold key positions with the Organization of American States, the Pan American Union, Pan American Health Organization and other agencies.

Their reported allegiance to the Soviet Union has been known to the State Department since 1952 when its Office of Security was first asked to evaluate the cases. The project was turned down in 1952 for two reasons. First, none of the Latin Americans were employed by State although many had close associations with members of the department. Second, it was believed that these cases required a political decision

100-67266-
ENCLOSURE

at a higher level than the Security Office, which is not even equipped to conduct full field investigations of foreign nationals in countries of their origin.

In 1961, the President of a major Latin American country told the late President Kennedy of the existence of Communist cells in the above mentioned inter-American agencies. He named 36 Latin Americans whom he believed to be Communist agents. President Kennedy gave the problem to State. This time its Office of Security was ordered to make an investigation and three men were assigned to the case.

To date no action has been taken. Yet the U.S. Government could solve this grave security problem any time by not renewing the residence permits of alleged Communist agents. Unlike security cases involving U.S. Government employees, concrete evidence of espionage would not be necessary in cases involving foreign nationals. They are not eligible for departmental hearings, nor can they have recourse to American courts.

This problem was transferred to the Bureau of Inter-American Affairs along with Otepka's supporters. It is interesting that the men who were originally assigned to this problem are still in the Office of Security.

By this transfer the State Department "threw away" the experience and knowledge of seasoned competent security officials. Gardner and Norpel were veteran FBI agents before joining Otepka's Evaluations Division in 1961. Shea is a career employee with more than 25 years government service. Loughton was Assistant Director of Security for the Defense Department from 1953 to 1961. Burkhardt, a former Civil Service investigator, had been with the Office of Security for 10 years and worked with Otepka on the John Stewart Service case. Hite, a lawyer, had also been with the Office of Security for a decade. He was co-evaluator with Otepka on the case of William Arthur Wieland, the State Department official who was charged with hiding Fidel Castro's known Communist connections from his superiors during Castro's rise to power.

Burkhardt, Hite, Norpel and Shea have appealed their transfers to the Civil Service Commission's Examining Board. They claim their new jobs, which have never been adequately defined, constitute a reduction in rank and a deliberate attempt to keep them from their chosen professions as security officers. On June 26, 1964 their appeals were rejected on the grounds that "an agency has the right to reassign its employees." This July they asked that their appeals be re-opened and requested full hearings. As of this writing, no action has been taken on the requests.

When Otepka formed a special group in 1961 to re-examine the security files of all department employees, Gardner, Hite, Hughes, Loughton and Norpel were assigned to it. The project was conceived near the end of the Eisenhower Administration. It was officially authorized in May, 1961, by then Deputy Undersecretary of State for Administration, Roger Jones, who has since left the Department. Purpose of the project was to make certain that every employee who was in or slated for a

sensitive post affecting national security met all the clearance requirements.

The project was dropped in January, 1962, when Otepka was demoted from Deputy Director of the Office of Security to Chief of the Evaluations Division. But in the eight months his special review group had been active it had re-evaluated the files of many top-drawer Presidential appointees at State. There are still 800 other employees who have not been re-evaluated; many of them hold key positions in the government.

An example of why the evaluation project never got off the ground occurred in December, 1960. At that time, Otepka was asked to evaluate certain persons under consideration for important policy posts. Otepka later submitted a report on one of these individuals which contained substantial evidence of affiliation with Communist causes. Despite the report, the person was cleared for the White House Staff and later shifted to a top position at State. In 1962, the Secretary of State by-passed the Security Office and granted 152 waivers for high-ranking appointees. (A total of five such waivers were granted during the eight years of the Eisenhower Administration.)

The Senate Internal Security Subcommittee summoned Otepka to testify about the decline of security at the State Department. Otepka's cooperation with the subcommittee brought down the wrath of John F. Reilly Deputy Assistant Secretary of State for Security. Otepka's telephone was tapped and certain documents were allegedly planted in his "burn bag."

On June 27, 1963, Reilly had Otepka, Hughes and Norpel locked out their offices. Otepka was accused of "institutional disloyalty" to the State Department because he told the truth to the Senate Subcommittee. Actually, Hughes and Norpel were guilty of nothing more than professional association with Otepka and their refusal to turn against him.

On November 5, 1963, Otto Otepka was fired for conduct "unbecoming an officer of the Department of State". He is still on the payroll pending outcome of his departmental hearing.

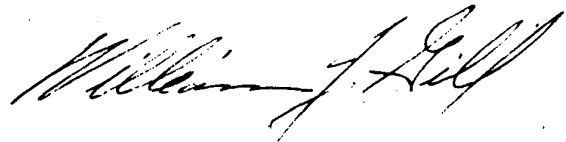
Four days after Otepka's dismissal, Reilly and one other department official were revealed as having lied under oath before the Senate Subcommittee about the tapping of Otepka's telephone and other matters. On November 18, 1963 Reilly and Elmer Hill, Chief of the Technical Services Division who made the tap, were permitted to resign. A third official who "amplified" his testimony -- Reilly's chief lieutenant, David I. Belisle -- is still at State.

The harassment of Otepka and his associates did not end with the departure of Reilly and Hill. The State Department has even tried to get several of them to submit to psychiatric examinations.

Burkhardt, Hite, Loughton and Norpel have testified in closed sessions of the Senate Subcommittee. Each man defended Otepka and expressed his intention to appear as a friendly witness at Otepka's departmental hearing. State Department representatives were at the subcommittee hearings as observers.

In their appeals, the former security officers contend that they are victims of the "guilt by association" concept, a concept that the State Department has condemned in the past.

There were loud protests raised a decade ago in defense of known security risks in the government. The same individuals and organizations who protested then are silent now about the treatment of these men -- all dedicated, loyal government employees.



WILLIAM GILL
National Editor

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DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MR. TOLSON _____
MR. BELMONT _____
MR. MOHR _____
MR. CASPER _____
MR. CALLAHAN _____
MR. CONRAD _____
MR. DELOACH _____
MR. EVANS _____
MR. GALE _____
MR. ROSEN _____
MR. SULLIVAN _____
MR. TAVEL _____
MR. TROTTER _____
MR. JONES _____
TELE. ROOM _____
MISS HOLMES _____
MRS. METCALF _____
MISS GANDY _____

Egan

Handwritten notes and signatures:
H. J. [unclear]
Kane
C. [unclear]
B. [unclear]

FILE
65-68066-65-68266
NOT RECORDED
OCT 2 1964

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

560076-136
1964

NOV 24 1964

Mr. Tolson_____
Mr. Belmont_____
Mr. Mohr_____
Mr. DeLoach✓
Mr. Casper_____
Mr. Callahan_____
Mr. Conrad_____
Mr. Evans_____
Mr. Gale_____
Mr. Rosen_____
Mr. Sullivan_____
Mr. Tavel_____
Mr. Trotter_____
Tele. Room_____
Miss Holmes_____
Miss Gandy_____

DEAR MR. HOOVER:

11-22-64

I CONNED YOU ON YOUR RECENT PRESS
CONFERENCE, WHEN YOU PULLED NO PUNCHES
& CALLED THE SHOTS AS YOU SAW THEM.

ALL TOO OFTEN WE READ OF GOV'T OFFICERS
WHO DON'T HAVE THE COURAGE OF THEIR
CONVICTIONS, & CHOSE INSTEAD TO GO ALONG.
THEY DON'T WISH TO ROCK THE BOAT & BECOME
INVOLVED IN ANYTHING CONTROVERSIAL. PERHAPS
THEIR OWN NECKS MAY BE INVOLVED?

IT'S SAFER POLITICALLY & ECONOMICALLY
TO KEEP HONEST OPINIONS TO ONESELF. UNFOR-
TUNATELY WE DON'T HAVE ENOUGH DEDICATED
CIVIL SERVANTS IN GOV'T LIKE YOURSELF & A
MAN NAMED OTTO OTERKA. HE CHOSE TO TELL THE
TRUTH ABOUT HIS SUPERIORS TO THE SENATE SUB-
COMMITTEE FOR INTERNAL SECURITY. (REFER TO ATTACHED)

FOR ^{BEING} LOYALTY TO HIS COUNTRY, HE WAS REWAR-
DED BY CHARGED BY THE STATE DEPT WITH
"CONDUCT UNBECOMING AN OFFICER." IN OTHER
WORDS, HE REFUSED TO GO ALONG & COVER UP.
THE SOFTHEADS & SACRED COWS IN THE STATE
DEPT ARE NOW RUNNING SCARED & ARE OUT TO
GET THIS LOTAL AMERICAN, BUT HE CHOSE TO
TAKE A STAND & LET THE CHIPS FALL WHERE THEY
MAY. HE HAS MORE GUTS IN HIM, THAN THE PACK
OF PHONIES & YES MEN, WHO ARE OUT TO GET
HIM — COMBINED!

REC-66

65-68266-56
18 DEC 1 1964

I FOR ONE SHALL NEVER REST UNTIL
THIS MAN IS FULLY EXONERATED OF ALL CHARGES

ack
11-30-64
15 ENCLOSURE
INCL. BEHIND FILE

As you can see from the attached - the most appalling "police state tactics" were employed to drum up petty charges against this courageous man. The phonies had to get even! What happened to this man's civil rights? I thought wire tapping evidence could not be used against an individual? The Kremlin has nothing on the State Dept - yet no one is interested in helping Otto Oterka (they don't wish to become involved) including the White House!

I don't wish to bore you with another man's problem - I use his case as an illustration of what can happen to a man who takes his job seriously. He may be railroaded out of the State Dept for pointing out deficiencies that existed there & still do! If this happens "it will be the greatest miscarriage of justice since the Alfred Dreyfus case of 1894."

In short - we must all play ball & be "conformists," people like yourself, & Oterka who have honesty & integrity will always be criticized for doing a thorough job.

Mr Hoover, you have provided the incentive with your outspoken & honest comments - I hope more Govt officials take the hint & do likewise. The U.S. Govt should be proud & is fortunate indeed, to have you & Otto Oterka as its employees. We need more of your kind in Govt.

Federal Bureau of Investigation
Records Branch

, 19__

☐ Name Searching Unit - Room 6527
☐ Service Unit - Room 6524
☐ Forward to File Review
☐ Attention _____
☐ Return to _____
 Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject _____

Birthdate & Place _____

Address _____

NOV 25 1964

Localities _____

R# 345 Date 11.24 Searcher Initials 104

Prod. _____

FILE NUMBER

SERIAL

ND 139-0-249

Outgoing dated
 4-30-64
 only Corresp at that
 time

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

November 30, 1964

REC-66

65-68266-56

[Redacted Address]

Upper Darby, Pennsylvania 19082

Dear [Redacted Name]

otto Otepka

RECU-READING ROOM

NOV 30 4 00 PM '64

b6
b7C

Your letter of November 22nd, with enclosures,
was received during Mr. Hoover's absence; however, you may
be sure it will be brought to his attention upon his return. I
know he would want me to thank you for sending him the material
you forwarded and for giving him your observations.

Sincerely yours,

NOV 30 1964

Helen W. Gandy
Secretary

NOTE: Bufiles indicate one prior letter to correspondent dated
4-30-64.

CJJ:cal
(3)

NOV 30 4 00 PM '64
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B.R.

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- nes _____

DEC 4 - 1964

MAIL ROOM TELETYPE UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 3/1/65

FROM : M. A. Jones

SUBJECT: THREE STAR EXTRA
NEWS REPORT - NBC
MARCH 1, 1965
6:45 P.M.

Tolson _____
Belmont ☒ _____
Mohr ☒ _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen ☒ _____
Sullivan ☒ _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Ned Brooks, commentator on captioned news broadcast, advised that the Postmaster General today refused to submit to a Senate Subcommittee the list of individuals appearing on the various mail covers. The Postmaster General advised that his doing so would cripple many criminal investigations and would have an effect on the internal security of the country.

The "Otto F. Otepka case" was discussed later in the program (Otepka, a State Department employee, was charged by the State with furnishing the Subcommittee with classified and nonclassified information and documents from the files of the State Department about 6 months ago). John R. Norpel, Jr., a former Special Agent, had previously testified in connection with the Otepka matter and it was learned today that he had been transferred to El Paso, Texas, in a minor State Department investigative capacity. It mentioned that Norpel was a former Agent and had been commended by the Director on several occasions. He was referred to as an expert on security for the State Department. The news commentator speculated that he might have been transferred to El Paso in a move to keep him from testifying with regard to Otepka in hearings which will take place in the future.

Bufiles reflect that John R. Norpel, Jr., was a Special Agent from 4/23/51 until 5/12/61 when he resigned for personal reasons. (67-465016)

RECOMMENDATION:

For information.

1 - Mr. DeLoach

WPM:plr (3)

* as of 3/4/65, Norpel was still employed as State Dept. Information Desk

CV-682

MAR 8 1965

MAR 5 1965

PERS. REC. UNIT

Tolson _____
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 Gandy _____

W.H. Sullivan
W.H. Sullivan
W.H. Sullivan
W.H. Sullivan

UPI-162

(OTEPKA)

WASHINGTON--STATE DEPARTMENT SECURITY OFFICER OTTA F. OTEPKA HAS BEEN GRANTED A THIRD POSTPONEMENT OF HIS HEARING ON CHARGES OF GIVING CLASSIFIED INFORMATION TO A SENATE COMMITTEE.

THE STATE DEPARTMENT SAID THAT AT THE REQUEST OF HIS LAWYER ROGER ROBB, A HEARING SET FOR FEB. 9 HAS BEEN POSTPONED UNTIL MARCH 16.

OTEPKA WAS ORIGINALLY SERVED WITH DISMISSAL NOTICE ON SEPT. 23, 1963. THE DEPARTMENT SAID HIS HEARING WAS FIRST SCHEDULED FOR NOV. 16, 1964, AND WAS POSTPONED TO DEC. 16, AND THEN TO FEB. 9, AT REQUEST OF HIS LAWYER.

HE REMAINS ON THE GOVERNMENT PAYROLL PENDING THE HEARING.

2/4--N445PES

1-65-68266-A-
 NOT RECORDED
 176 FEB 9 1965

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

Free
65-68266
5-juw

64 FEB 10 1965

WASHINGTON CAPITAL NEWS SERVICE

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: March 15, 1965

FROM : C. D. DeLoach

SUBJECT: SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)
APPEARANCE OF OTTO OTEPKA, DEPARTMENT OF STATE

For record purposes, there is attached one copy of a press release issued Thursday, March 11, 1965, releasing the text of a letter to the Secretary of State concerning the appearance as a witness of Otto Otepka, Chief of the Division of Evaluations, Office of Security, Department of State, before the Senate Internal Security Subcommittee. Senator James O. Eastland, Chairman of the SISS, said Mr. Otepka's testimony has been a valuable contribution to the Subcommittee's current investigation of security in the State Department.

Enclosure

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. M. A. Jones

CDD:dgs
(7)

45-68266-
NOT RECORDED
87 MAR 22 1965

MAR 18 1965

ENCLOSURE

MAR 25 1965

CORRESPONDENCE

ORIGINAL FILED IN 62-77217-2932

FOR IMMEDIATE RELEASE MARCH 11, 1965
FROM THE SENATE INTERNAL SECURITY SUBCOMMITTEE

In response to a number of inquiries regarding its stand with respect to the Otepka case, the Internal Security Subcommittee today made public the text of a letter to the Secretary of State signed by all Subcommittee members in October 1963. In releasing the letter, Senator James O. Eastland (D-Miss.) declared: "We all still feel the same way and I see no prospect at all that the Committee will change its position with respect to this matter."

The letter is as follows:

October 31, 1963

The Honorable Dean Rusk
The Secretary of State
Department of State
Washington 25, D. C.

Dear Mr. Secretary:

Mr. Otto Otepka, Chief of the Division of Evaluations, Office of Security, Department of State, today faces grave charges apparently growing out of his appearance as a witness before the Senate Internal Security Subcommittee and his honesty in responding to the Subcommittee's questions.

Without attempting to pass upon these charges, we want to express our confidence in Mr. Otepka's integrity, capability, and professional skill.

A committee of the Senate has a right to the testimony of any official or employee of our Government respecting any question of security or possible wrongdoing in any department or agency, if the subject matter of the committee's inquiry falls within its jurisdiction. A Government employee who comes before a Senate committee and testifies truthfully should not thereafter be penalized or disciplined in any way for doing so.

Mr. Otepka's testimony has been a valuable contribution to the Internal Security Subcommittee's current investigation of security in the State Department, and we feel he has performed a substantial service for his country. We would consider it a great tragedy if the services of this exceptionally able and experienced security officer were lost to the United States Government on the basis of alleged technical violations growing out of his cooperation with the Senate Internal Security Subcommittee.

Kindest personal regards.

Sincerely,

JAMES O. EASTLAND, Chairman
Internal Security Subcommittee

THOMAS J. DODD, Vice Chairman

ROMAN L. HRUSKA

OLIN D. JOHNSTON

EVERETT MCKINLEY DIRKSEN

JOHN L. McCLELLAN

KENNETH B. KEATING

SAM J. ERVIN, JR.

HUGH SCOTT

65-68266-
ENCLOSURE

1 - A. H. Belmont
1 - J. P. Mohr
1 - C. D. DeLoach
1 - W. C. Sullivan
1 - W. R. Wannall
6/1/65
1 - J. F. Wacks

W. C. Sullivan

W. R. Wannall

**OTTO OTEPKA DEFENSE FUND
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)**

Recommended we advise State, Post Office, and Justice (Internal Security Division) Departments of formulation of Otto Otepka Defense Fund; that creator thereof has complained that his mail has been tampered with; and that the FBI, which has conducted and intends to conduct no investigation of Fund, is not responsible for this mail irregularity.

Otto F. Otepka is the State Department official against whom State on 9/26/63 preferred administrative charges alleging he gave classified and unclassified State documents to the Senate Internal Security Subcommittee in connection with hearings being held by Subcommittee pertaining to personnel security at State. We investigated this case at request of Department to ascertain whether Otepka had violated espionage or theft of Government property statutes. By letter 3/18/64 Internal Security Division, Department of Justice, declined prosecution. We discontinued investigation. Otepka is still employed at State on unclassified matters although he was served with a dismissal notice on 9/23/63. A hearing on his appeal has not yet taken place. Otepka's case has aroused much notoriety throughout the country and is most controversial.

On 3/23/65 James Stewart, Assistant Director of the Flick-Ready Education Association, Bensenville, Illinois, advised our Chicago Office that he had created an Otto Otepka Defense Fund to provide financial support for the legal defense of Otepka. Stewart operates this Fund as an individual and it is not connected with his employment. He advised that the Fund now consists of several thousand dollars; is maintained in a bank account; and there have been no expenditures from this Fund.

Stewart also pointed out that the mail he has been receiving in connection with the Fund has been tampered with. He was aware that this was of primary interest to the Post Office Department; however, he was suspicious that someone had instructed U.S. Post Office employees to open and read this mail. He accordingly desired to make this a matter of record with the FBI. U.S. Postal Inspectors in Chicago have been furnished the details of Stewart's complaint by the Chicago Office.

Enclosure

62-110060

① - 65-68266 (Otepka)

JFW:kab

CONTINUED - OVER

NOT RECORDED

87 APR 7 1965

Memorandum W. R. Wannall to W. C. Sullivan
RE: OTTO OTEPKA DEFENSE FUND
62-110060

ACTION:

Enclosed for approval is a letter to the Department of State with copies for the Post Office Department and Assistant Attorney General J. Walter Yeagley in which they are furnished information set out above. It is also indicated in our letter that the FBI is not responsible for the mail tampering and that we have conducted no investigation with respect to the Otto Otepka Defense Fund and do not intend to do so.

1 - A. J. Belmont
1 - J. Mohr
1 - C. E. DeLoach
1 - W. C. Sullivan
1 - W. R. Wannall
1 - Liaison
1 - J. F. Wacks

(NI) 62-110060

BY LIAISON

Date: April 2, 1965
To: Deputy Assistant Secretary for Security
Department of State
From: John Edgar Hoover, Director
Subject: OTTO OTEPKA DEFENSE FUND
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)

On March 23, 1965, Mr. James Stewart, Assistant Director, Flick-Ready Education Association, Bensenville, Illinois, furnished our Chicago, Illinois, Office with the following information:

He has created an Otto Otepka Defense Fund to provide financial support for the legal defense of Otto F. Otepka, the Department of State employee. Stewart has advertised nationally for donations to this Fund. Another person who has been active on behalf of this Fund is [redacted]

[redacted] Upper Darby, Pennsylvania. This Fund is operated on behalf of Otepka by Stewart as an individual and is not connected with the Flick-Ready Education Association. This Association is not one of the Fund's sponsors. Stewart operates the Fund using his own home address, 401 North Walnut Street, Wood Dale, Illinois. The Fund now consists of several thousand dollars; it is maintained in a bank account; and no expenditures from this Fund have been made.

Stewart desired to make it a matter of record with the Federal Bureau of Investigation that the mail he has been receiving in connection with the Fund addressed to his home in the name of the Fund has been tampered with. There was no attempt to conceal the fact that the mail had been opened and it appears to Stewart that, from the manner in which the envelopes had been torn, a "spy glass" was being utilized to read the mail through the torn sections of the envelopes.

1 - 65-68266 (Otepka)

JFW:kab
(13)

DUPLICATE YELLOW

SEE NOTE PAGE TWO

b6
b7C

ORIGINAL FILED IN 62-110060

NOT RECORDED
APR 5 1965

Deputy Assistant Secretary for Security
Department of State

This Bureau has conducted no investigation of the Otto Otepka Defense Fund and we do not contemplate doing so. The tampering of the mail, as alleged by Stewart, was not done by this Bureau or at the request of this Bureau.

In the event the Post Office Department desires further information concerning Otto F. Otepka, it is suggested that the Department of State may be of assistance in this regard.

1 - Chief Postal Inspector
Post Office Department
Washington, D. C.

BY LIAISON

1 - Mr. J. Walter Yeagley
Assistant Attorney General

NOTE:

See memo Wannall to Sullivan dated 4/1/65,
captioned as above, prepared by JFW:kab.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-3-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 11779-11782. Senator Williams, (R) Delaware, spoke concerning the charge that certain employees in the Defense Department had embezzled or diverted to their own use certain funds of that agency. He advised that the employees (John A. Wylie, James Robert Loftis, and William H. Godel) were indicted on the charges. In setting forth background information on Wylie, Mr. Williams stated "January 16, 1964: A report of the preliminary investigation with respect to Mr. Wylie was forwarded by the Department of Defense to the Attorney General, and an investigation of this matter by the Federal Bureau of Investigation was continued." Mr. Williams pointed out that it was made possible for Wylie and Loftis to claim immediate retirement benefits. However, "Apparently Mr. Godel did not have any friends in court. He was fired. Instead of applying for retirement he asked for refund of the retirement deductions which had been taken from his salary, totaling \$13,199.40. This was denied pending resolution of his possible indebtedness to the United States." He placed in the Record a letter he sent to the Secretary of Defense on August 10, 1964, and the reply of August 31, 1964, as signed by Mr. David E. McGiffert, Assistant to the Secretary. Mr. Williams also placed in the Record two letters dated March 9 and 11, 1965, from the U. S. Civil Service Commission which outline the retirement benefits which these two men are receiving and the benefits which they would have received had theirs been routine separations. Mr. Williams compared the handling of this case with action taken against Mr. Otto Otepka by the State Department and stated "Mr. Otepka, once the State Department's top security evaluator, was fired from his job a couple of years ago for something called 'institutional disloyalty to his superiors.' All that he did was to give information to the Senate Internal Security Subcommittee, which was investigating security malpractices in the Department."

Original filed in: 66-1731-

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were _____

marked for the Director's attention. This form has been prepared in order that _____

_____ of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

65-68260-

NOT RECORDED

170 JUN 11 1965

54
58 JUN 22 1965

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

Memorandum

TO : The Director

DATE: 4-6-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 6799-6800. Senator Miller, (R) Iowa, spoke concerning the Otepka case and certain developments as the result of this case. He included an article from the Des Moines Register of April 4th entitled "Cutoff Pay of Two Otepka Friends," written by Clark Mollenhoff. Mr. Miller advised that this article revealed that retaliation is being taken against some of Mr. Otepka's associates in the security division. Two men are being transferred to El Paso and Denver. The men regard the transfers as demotions and have taken action to appeal this action through civil service procedure. Mr. Miller stated "One of these men, John R. Norpel, served in the Federal Bureau of Investigation in highly sensitive positions for 10 years before going to work for the State Department. Howard Shea, the other security officer, also has a fine record of service. - - - I hope the Civil Service Commission will look into these cases, and I hope the appropriate

committees of the House and Senate will make sure that the civil service rights of these loyal employees are protected." (John R. Norpel was employed with the Bureau as an Agent from April 23, 1951, until May 12, 1961. His services were satisfactory.)

In the original of a memorandum captioned and dated as above, the Congressional Record for 4-5-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

NOT RECORDED

133 APR 19 1965

Original filed in: 65-6521-9

Pages A1846-A1847. Congressman Gross, (R) Iowa, extended his remarks concerning the Otto Otepka case. He included the same article as set forth earlier in this memorandum with comments by Congressman Miller. Mr. Gross makes reference to the transfer of John R. Nerpel (former FBI Agent) and Howard Shea and states "If this action against Nerpel, Shea, and others is allowed to stand, then there is no civil service protection for honest career employees. We might well ask what this Government is coming to if the perjurers and liars are protected and coddled, and the men who tell the truth to Congress are harassed and hounded by bureaucratic superiors."

[redacted]
[redacted] Eldridge, Iowa

(over)

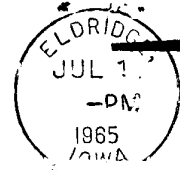
REC 7

65-68266-37

If only the F.B.I. could help Otto Otepka! May
God continue to bless you, Mr. Hoover. We need you now as
never before.

92 JUL 9 1965

EX-107



Stan. J. Kepp
Eldridge, Iowa

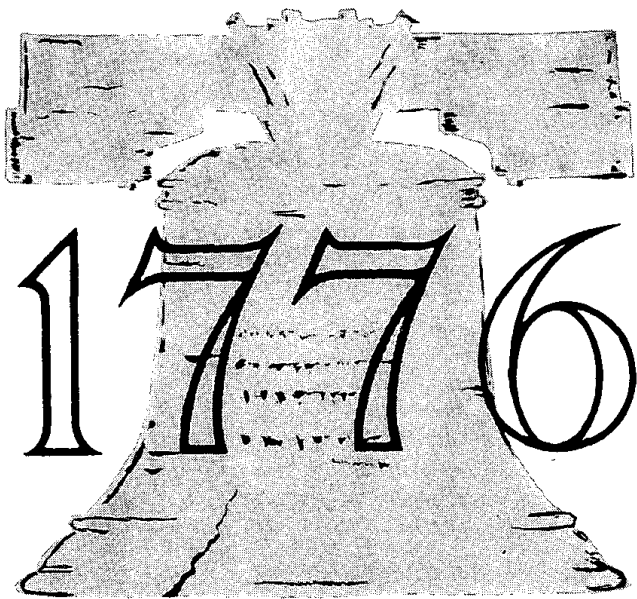
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JULY 4,



Proclaim liberty,

throughout all the land

unto all the

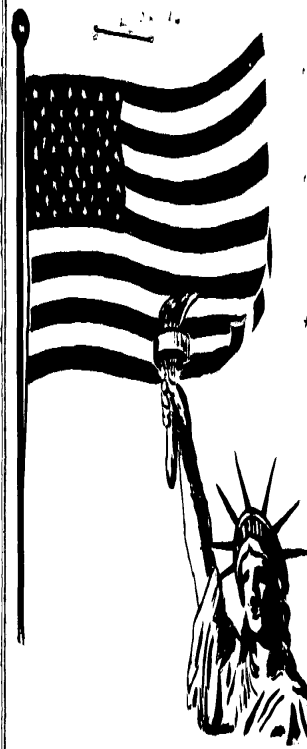
inhabitants thereof.....

LEVITICUS 25:10

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The accumulation of all powers, legislative, executive and judiciary, in the same hand, whether of one, a few, or many, or whether hereditary, self-appointed or elected, may justly be pronounced the very definition of tyranny.

James Madison, Federalist - 47



"I only regret that I have but one life to lose for my country."
Nathan Hale.....

"Give me liberty or give me death"
Patrick Henry.....

May we always possess the integrity,
the courage and the strength to keep ourselves
unshackled, to remain a citadel of freedom and
a beacon of hope to the world.

Mr. and Mrs. Mm. Kappy
R.1, Eldridge, Iowa
(over)

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If only the F.B.I. could help
Atto Atepka! May God continue
to bless you, Mr. Hoover. We need
you now as never before.

LAND OF THE FREE - HOME OF THE BRAVE

© LIBERTY CARD

© MEL-BELLE ENTERPRISES

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10/11/66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 26646-26647. Senator Thurmond, (R) South Carolina, commented The American Legion passed resolution No. 150 on the subject of the Otto Otepka case. In my judgment this resolution succinctly sums up the situation with respect to Mr. Otepka and the kind of treatment he has received at the hands of our State Department. It gives a fair and accurate summation of the facts surrounding this situation, which if allowed to go uncorrected, will intimidate every career government employee. The above resolution is included in the Record.

Original filed in: 66-1731-

65-63266-

NOT RECORDED

128 NOV 9 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 10-10-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PK-8

MR. TOLSON _____

MR. BELMONT _____

MR. MOHR _____

MR. DELOACH _____

MR. CASPER _____

MR. CALLAHAN _____

MR. CONRAD _____

MR. FELT _____

MR. GALE _____

MR. ROSEN _____

MR. SULLIVAN _____

MR. TAVEL _____

MR. TROTTER _____

MR. JONES _____

TELE. ROOM _____

MISS HOLMES _____

MRS. METCALF _____

MISS GANDY _____

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

T. Murphy

file
ACB
Murphy

REC 13

65-68266-57

July 8, 1965

EX. - 107



Elbridge, Iowa

Dear



I have received the liberty card which you and your husband sent on July 1st, and it was most thoughtful of both of you to express such kind sentiments concerning my administration of this Bureau. This was good of you and your husband, and I wanted you both to know of my appreciation.

Sincerely yours,
J. Edgar Hoover

MAILED 8
JUL 8 1965
COMM-FBI

JUL 8 10 29 AM '65
REC'D-READING ROOM
FBI

b6
b7c

NOTE: We have enjoyed cordial relations with correspondents. [Redacted] is a member of the John Birch Society. Otto Otepka, an official in the State Department, is well known to the Bureau.

- Tolson _____
- Belmont _____
- Mohr _____
- DeLoach _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
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- Sullivan _____
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- Tele. Room _____
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JRP:ems
70 JUL 22 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

[Handwritten signatures and initials]

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 210

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UNITED STATES GOVERNMENT

Memorandum

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Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
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Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: July 23, 1965

FROM : C. D. DeLoach

SUBJECT: "STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--1," PART 2
SENATE INTERNAL SECURITY SUBCOMMITTEE

REC 16

ST-112

For record purposes, attached is a copy of the above-captioned pamphlet which was received from the Senate Internal Security Subcommittee on 7/23/65. A proposed press release was not received with the pamphlet, however, a stamp on the pamphlet reads, "Hold For Release Wed Jul 28 1965 PM."

The "Foreword" indicates this is part 2 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." There are a number of clearly defined areas of testimony which can be presented separately, and other instances in which testimony covering two or more subjects can be combined with satisfactory coherency. Because of the great volume of this hearing record, it has been decided to organize the testimony for release by subjects or areas.

Enclosure

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. Jones

CDD:dgs
(7)

EX - 107

REC-73

65-68266-58

9 AUG 8 1965

ENCLOSURE BEHIND FILE 40-22779
(WM. WIELAND)

68 AUG 24 1965

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-12-84 BY SP7MAC/RE
FOIPA # 236,334

WIELAND
RE
OTEPKA
65-68266
RM30315

UNRECORDED COPY AND COPY OF ENCL FILED IN

UNITED STATES GOVERNMENT

Memorandum

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Rosen _____
Sullivan _____
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Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: August 3, 1965

FROM : C. D. DeLoach

SUBJECT: "STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--11, " PART 3
SENATE INTERNAL SECURITY SUBCOMMITTEE

For record purposes, attached is a copy of the above-captioned pamphlet which was received from the Senate Internal Security Subcommittee on 8/3/65. A proposed press release was not received with the pamphlet, however, a stamp on the pamphlet reads, "Hold For Release Sun Aug 8 A. M."

The "Foreword" indicates this is part 3 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." The subject matter of these hearings included various subtopics, necessarily intertwined. All the testimony will be released, except for a very few instances of deletions for security reasons.

Enclosure

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. Jones

CDD:dgs
(7)

ALL INFORMATION CONTAINED
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REC-139

68-68266-59

AUG 9 1965

EX 105

"ENCL. BEHIND FILE"

68 AUG 24 1965

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

TO : The Director

DATE: 7-29-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

OTTO OTEPIKA

Pages 17668-17670. Congressman Minshall, (R) Ohio, spoke concerning the Otepka case pointing out that for months the members of the Senate Internal Security Subcommittee have been trying to find out why the State Department fired Otto Otepka, its top security evaluator. Mr. Minshall made reference, to untruthful testimony of certain State Department employees before the Subcommittee, the destruction by burning of all State Department security field records and the transfer of several field investigators. Mr. Minshall stated "This, coming on top of the Otepka case, makes one wonder if the State Department really is concerned about security risks up its payroll. The key to the answer lies in an open hearing for Otto Otepka."

Original filed in:
66-1731-274

65-68266-

100-100000000

JUL 29 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-28-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

XEROX
AUG 4 1965

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

TO : The Director

DATE:

7-30-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 18144-18146 Senator Thurmond, (R) South Carolina, spoke concerning the Otto Otepka case. He included an article from the current issue of Readers Digest entitled "The Ordeal of Otto Otepka." Mr. Thurmond stated "The injustices rectified by this article, which are substantiated in great detail by the series of hearings currently being released by the Senate Internal Security Subcommittee, constitute a blight on our Government and the bureaucratic, oligarch factionalism into which we have permitted it to degenerate." The article, in setting forth background information on the charges against Otepka, stated "On August 16, 1963, Otepka suffered the next step in his degradation—he was accused by his superiors at State of violating the World War I Espionage Act. He was charged with spying for the U. S. Senate by turning over confidential documents (the papers which cleared him of perjury). After 3 days of questioning, the FBI threw out the case against him."

Original filed in: 66-1731-2741

65-68200-
NOT RECORDED
133 AUG 9 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-29-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

55 AUG 20 1965

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. W. C. Sullivan

DATE: 8/19/65

FROM : Mr. D. J. Brennan, Jr.

SUBJECT: OTTO F. OTEPKA
INFORMATION CONCERNING

On 8/18/65, while at the State Department, Liaison Agent Bartlett talked to [redacted] Deputy Director, Office of Security, and Colonel George French, who handles special assignments for Deputy Under Secretary [redacted]. They advised that part 4, Subcommittee hearings on internal security, Committee on the Judiciary, will be released on 8/19/65. This report is entitled "State Department Security - 1963-1965 - The Otepka Case - II." On page 197 of this report under exhibit number 6, the Subcommittee reprinted a State Department document they had requested which is Foreign Affairs Manual Circular A 102-A. It was dated 2/4/63. This document states that liaison between the State Department and the FBI previously handled by the Deputy Under Secretary of State for Political Affairs and the Office of Security is being changed. In the future, matters relating to intelligence will be handled by the Bureau of Intelligence and Research and matters relating to personnel and loyalty cases will be handled by the Office of Security.

This document was classified "confidential." State has been in touch with Mr. J. G. Sourwine, Chief Counsel of the Subcommittee who admitted that the Subcommittee made a mistake in reprinting a confidential document. Colonel French told [redacted] that it appears that the document should not have been classified when it was prepared and that State will now reissue the document without classification and so advise the Subcommittee.

Liaison Agent [redacted] was advised that this was being brought to the Bureau's attention in view of the fact that a classified document had been printed for public consumption and to show what action State Department was taking in the matter.

ACTION:

For information.

REC- 54

- 1 - Mr. Belmont
- 1 - Mr. Mohr
- 1 - Mr. Gale
- 1 - Mr. Sullivan
- 1 - Mr. R. W. Smith
- 1 - Liaison
- 1 - [redacted]

OHB:chs

16 AUG 24 1965

55 AUG 30 1965

F13



UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8-4-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 15728-15729. Congressman Hall, (R) Missouri, spoke concerning the Ciepka case and made reference to hearings released by the Senate Internal Security Subcommittee. He placed in the Record a letter from Mrs. Myra Finkel on this matter. Mrs. Finkel states "Almost 2 years have passed since the State Department brought their charges against Otto Ciepka. He has been reported fired, pending his appeal. In real language this means, he goes to work every day, but is only given routine clerical work to do. Meanwhile the Nation feels the loss of a man J. Edgar Hoover once called one of the finest and most knowledgeable security officers in the history of the State Department."

65-68266-
NOT RECORDED

87 AUG 17 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-4-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

REC- 32

August 20, 1965

EA-101

Mr. Donald W. Lyons
14121 Tarzana Road
Poway, California

Dear Mr. Lyons:

Your letter of August 12th enclosing a copy of your letter to the President has been received.

In response to your request, I would like to point out that it is not within my prerogative nor in the scope of my authority to intercede in matters that are not within the investigative jurisdiction of this Bureau. Further, the FBI neither clears nor concurs in the clearances of any employee of the Federal Government, and being strictly an investigative agency of the Federal Government neither makes evaluations nor draws conclusions as to the character or integrity of any organization, publication or individual. Therefore, I am sure you will understand why I am not in a position to respond as you desire.

Sincerely yours,

J. Edgar Hoover

- 1 - Mr. DeLoach - Enclosures (2)
1 - Mr. Sullivan - Enclosures (2)

NOTE: There is no derogatory information in Bureau files concerning correspondent. We last corresponded with him on 9-9-60 with an in-absence reply. He had requested material on communism so that he could learn more about it. He also asked about the American Legion and the Circuit Riders. Since he could not be identified and it was not known how he was going to use the material, he was written an in-absence and sent material.

KLS:pjp (5)

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Sullivan _____
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Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TELETYPE UNIT ☐

1 AUG 31 1965

August 12, 1965
14121 Tarzana Road
Poway, California

Dear Mr. Hoover:

Would you please intercede with the President in the Otto Otepka case? It is my belief, and the belief of many others whom I know, that this could be a test case of uppermost importance.

My wife and I feel that Mr. Otepka has been persecuted unjustly. We feel that your influence with the President would be very helpful.

I have written to President Johnson in regard to this matter. A copy of my letter is enclosed.

Very truly yours,

Donald W. Lyons
Donald W. Lyons

ENCLOSURE

REC- 32

EX-101

AUG 25 1965

20
14
ack 8-18-65

KLS/jm/cob/ppp

CORRESPONDENCE

C O P Y

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

August 12, 1965
14121 Tarzana Road
Poway, California

Dear Mr. President:

I have been following the Otto Otepka case as it has appeared in the press for several years. Will you please call for an "executive investigation" of this case so that you can be fully informed and subsequently decide what action should be taken, if any?

My wife and I and many of our friends feel very strongly about this case based on the information we have been able to gather. Your prompt action and intervention in this case would be greatly appreciated.

Very truly yours,

Donald W. Lyons
Donald W. Lyons

C O P Y

65-68266-61
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
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Tele. Room _____
Holmes _____
Gandy _____

TO

Mr. Mohr

REC-24

DATE: August 16, 1965

FROM

C. D. DeLoach

SUBJECT:

"STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--111," PART 4
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

OTTO F. OTEPKA

For record purposes, attached is a copy of the above-captioned pamphlet which was received from the Senate Internal Security Subcommittee on 8/16/65. A proposed press release was not received with the pamphlet, however, a stamp on the pamphlet reads, "Hold For Release Thu Aug 19 1965 PM."

The Foreword indicates this is Part 4 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." All the testimony will be released, except for a very few instances of deletions for security purposes. Any such deletions will be indicated in the printed record. Where a witness testified on several subjects or in several areas, the testimony may be printed in two or more different volumes.

Enclosure

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. Jones

CDD:dgs
(7)

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6-20-85 BY SP-7 MAC/BB

REC-100

REC-24

EX-117

1 AUG 25 1965

"ENCL. BEHIND FILE"

60 SEP 13 1965

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—III

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

PART 4

Printed for the use of the Committee on the Judiciary

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-15-2011 BY 60324 UCBAW/SAB/SBS



HOLD FOR RELEASE
THU AUG 19
PM

U.S. GOVERNMENT PRINTING OFFICE

49-721 O

WASHINGTON : 1965

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 35 cents

Received by Crime Records Division
8/16/65

from Senate Internal Security Subcommittee

65-68266-62

UNITED STATES

SENT

Memorandum

Tolson _____
Belmont _____
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Casper _____
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Conrad _____
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Rosen _____
Sullivan ☒ _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: September 16, 1965

FROM : C. D. DeLoach

Otto P. Otepka

SUBJECT: "STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE---IV," PART 5
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

*W. J. [unclear]
C. [unclear]*

For record purposes, attached is a copy of the above-captioned pamphlet which was received from the Senate Internal Security Subcommittee on 9/16/65. A proposed press release was not received with the pamphlet, however, a stamp on the pamphlet reads, "Hold For Release Sun Sep 19 1965 AM."

The Foreword indicates this is Part 5 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." This volume is subtitled "The Otepka Case---IV." The Internal Security Subcommittee previously conducted and published a series of hearings in 1961 and early 1962 dealing with the same general subject matter. Subsequent parts of this series will include testimony on other phases of the investigation, subject by subject.

"ENCLOSURE ATTACHED"

Enclosure

[Handwritten signature]

[Handwritten signature]

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. Jones

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6-20-85 BY SP-7 mac/ks
#236,334

CDD:dgs
(7)

[Handwritten signature]

EX-103

REC-58

65-68266 63

14 SEP 20 1965

66 OCT 5 1965

from

[Handwritten signature]

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—IV

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

PART 5

Printed for the use of the Committee on the Judiciary

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-15-2011 BY 60324 UCBAW/SAB/SBS



HOLD FOR RELEASE

SUN SEP 19. AM

Received by Crime Records Division
9/16/65
from Senate Internal Security Subcommittee

U.S. GOVERNMENT PRINTING OFFICE

49-721 O

WASHINGTON : 1965

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 25 cents

65-68266-63

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-2-65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages A4934-A4935. Congressman Broyhill, (R) Virginia, extended his remarks concerning the State Department's handling of the Otopka case. He stated "I have a chronology which in summary reveals at least from 1960 to the present time the fact that there was calculated design to purge

Memorandum to the Director
Re: The Congressional Record

APPENDIX - continued

otto
Otopka and his supporters if not by specious, unfounded, and disgraceful accusations, then by frustration, economic sanctions, and the psychology of fear. Mr. Broyhill placed this chronology in the Record. The chronology sets forth background information on the special project involving the review and reconsideration of security records on all State Department personnel at the officer level. It states "Otopka was authorized to staff the special project. In addition to Hite and Hughes, he obtained as evaluators, Raymond Loughton from the Department of Defense, and John R. Norpel, Jr., and Francis V. Gardner both former FBI agents." Reference is made to instructions forbidding testimony by State Department employees. It is stated "Otopka questioned by FBI agents on August 14, 15, and 16 regarding furnishing information to an unauthorized person (i.e. chief counsel of a U. S. Senate committee). Otopka was satisfied there was no case against him at Department of Justice." (John R. Norpel, Jr., was employed with the Bureau as an Agent from April 23, 1951, until May 12, 1961. His services were satisfactory. Francis V. Gardner was employed as an Agent from May 17, 1948, to January 13, 1961. His services were satisfactory.)

ORIGINAL FILED IN

In the original of a memorandum captioned and dated as above, the Congressional Record for 9-1-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

NOT RECORDED

199 SEP 20 1965

REC- 61

September 29, 1965

EX-103

Miss Sandra J. Nye
716 North Irving Boulevard
Los Angeles, California

Dear Miss Nye:

Your letter of September 22nd, with enclosure, has been received and I want to thank you for your kind comments.

Since I am unable, as a matter of policy, to forward mail as you requested, your enclosure is being returned. Further, I would like to point out that this Bureau is strictly an investigative agency of the Federal Government and, as such, neither makes evaluations nor draws conclusions as to the character or integrity of any organization, publication or individual.

Sincerely yours,
J. Edgar Hoover

John Edgar Hoover
Director

Enclosure

NOTE: Bufiles contain no record identifiable with correspondent. She makes reference to the article, "The Ordeal of Otto Otepka" which appeared in the August, 1965, "Reader's Digest" which describes the efforts of Otto F. Otepka, former Chief of the U. S. State Department's Security-Evaluations Division, to maintain his position even though others in the State Department were defying his concepts of security.

LCH:jms (3)

OCT 7 1965 TELETYPE UNIT ☐

TRUE COPY

716 No. Irving Blvd.
Los Angeles, Calif.

22 Sept. 1965

Mr. Hoover,

This is a letter I wrote to Mr. Otepka. If I was wrong in writing it (you may read it) please don't send it on. If I am right, please forward said letter. I don't know where to send it.

Sir, I value your judgement, for I believe you to be one of the few dedicated American's that I've known of.

Very Respectfully,

Sandra J. Nye

[Handwritten flourish]

COPIES DESTROYED
1209 SEP 14 1970

[Handwritten flourish]
ENCLOSURE

REC-61

EX-103

65-68200-64

12 SEP 30 1965

C
28-65

8/ich

2-29-65 LCH/jma

716 No. Irving Blvd.
Los Angeles, Calif.

22 Sept. 1965

Mr. Hoover,

This is a letter I wrote
to Mr. Otepka. If I was
wrong in writing it (you may
read it) please don't send it
on. If I am right, please
forward said letter. I don't
know where to send it.

Sir, I value your
judgement, for I believe you
to be one of the few dedicated
American's that I've known of.

Very Respectfully,

Sandra J. Nye

ITC
9-28-65
jms

and ack 9-29-65 LCH/jms

716 No. Irving Blvd.
Los Angeles, Calif.
22 Sept. 1965

Dear Mr. Otepka,

I just read about the ordeal
you're going through. The August
"Reader's Digest" carried the story.

Since the FBI threw out the
case against you, that must mean
Mr. Hoover must believe in you.
And, since he does, that's
good enough for me!

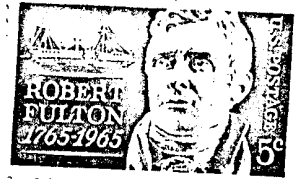
This note may not mean
much, as I am only one
person, but I believe in you
and the good you have done
for our country. I pray that
you and your loved ones
come through this with your
banners flying as they should
be.

Respectfully,
Sandra J. Nye

Original
Returned
to correspondent

65-68266-64

ENCLOSURE



Mr. Otto Otepka
c/o Federal Bureau of
Investigation
Washington -
District of Columbia

REC 7

October 7, 1965

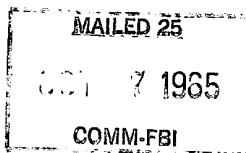
Mrs. Richard Duncan
8735 Tilden
Van Nuys, California

Dear Mrs. Duncan:

Your letter of September 29th was received in Mr. Hoover's absence from the city. You may be certain your communication will be brought to his attention upon his return.

This matter is within the scope of another governmental agency and I hope you will understand why it would be inappropriate for Mr. Hoover to comment as you requested.

Sincerely yours,



Helen W. Gandy
Secretary

NOTE: Bufiles contain nothing identifiable with Mrs. Duncan.

ED:klm (3)

OCT 7 2 32 PM '65
FBI
RECORD-READING ROOM

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edlm

MAIL ROOM ☐ TELETYPE UNIT ☐

TRUE COPY

September 29, 1965
8735 Tilden
Van Nuys, Calif.

Caf 8-

Mr. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

I have read quite a few articles lately concerning Mr. Otto Otepka.

Please suggest steps I might take to help this man & to try to prevent this sort of thing in the future.

Why is it when someone shows loyalty to his country he turns out to be a culprit? Maybe I've been reading the wrong articles!

Please reply.

Sincerely

Mrs. Richard Duncan

EX-103
REC 7

45-68266-65

5 OCT 8 1965

fed

ITC 10-5-65 des

ack 10-4-65

EO:des/lsj/pjg/Klm

aml

September 29, 1965
8735 Fildem
Van Nuys, Calif.

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

I have read quite a few articles lately
concerning Mr. Otto Otepka.

Please suggest steps I might take to
help this man to try to prevent
this sort of thing in the future.

Why is it when someone shows loyalty
to his country he turns out to be a
culprit? Maybe I've been reading the
wrong articles!

Please reply.

CORRECTION OFFICE

Sincerely

Mrs. Richard Duncan

IRC 10-5-65 des
ack 10-6-65
ED: des / log / pjp / Klm
am

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

Memorandum

TO : W. C. Sullivan

1 - Mr. Belmont
DATE: 11/24/65

FROM : D. J. Brennan, Jr.

1 - Mr. Mohr
1 - Mr. DeLoach
1 - Mr. Sullivan
1 - W. A. Branigan
1 - Liaison
1 - O. H. Bartlett

SUBJECT: FRANK REED GARNER
ESPIONAGE - X

Tolson
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Gandy

The 11/22/65 "New York Journal-American" carries an article bearing the headline "Trunkful of FBI Reports Auctioned, Otepka Claims." The article, attached, discusses testimony released by the Senate Internal Security Subcommittee and given by Otto F. Otepka, the State Department security evaluator who has been suspended by State for over two years but who remains on State's payroll. According to Otepka's testimony, a trunk containing FBI reports was sold at auction for non-payment of storage fees and contained material which had been removed from State by a security file room employee. The Director commented "This is astounding if true. I think we should look into it and if true we shall have to circumscribe dissemination of our reports to State Department. H."

This matter originally came to the FBI's attention on 1/15/60 when one Ethel Roberts, 1905 H Street, N. W., Washington, D. C., advised that she had purchased a trunk at the Sloan Galleries on 1/13/60 for "a couple of dollars." After she opened it she found State Department documents, including FBI reports. These documents were recovered by the Bureau and an immediate investigation was commenced. The investigation revealed that the person responsible for the removal of the documents was Frank Reed Garner, a 50-year-old Grade 5 file clerk who was employed by the Office of Security at State. His work record at State and previously at the Veterans Administration had been less than satisfactory. During the investigation, he admitted taking these items home for the purpose of destroying them. The Department of Justice declined prosecution provided State took administrative action against Garner. State afforded Garner mental tests and retired him on 1/10/61.

It is interesting to note that Otepka's testimony appears to be detrimental to himself in view of the fact that at the time this case broke in 1960, Otepka was Acting Director of the Office of Security and Garner was under his supervision.

ACTION:

NOT RECORDED

5 DEC 6 1965

For information. Inasmuch as this entire matter was thoroughly investigated in 1960, it is not believed that any further action is necessary at this time.

Enclosure / ENCLOSURE

65-65939

OHB:jad

79 DEC 8 - 1965

ORIGINAL FILED IN 65-65939

Trunkful of FBI Reports Auctioned, Otepka Claims

Hearst Headline Service
A Journal-American Exclusive

WASHINGTON, Nov. 22.—State Department security officer Otto F. Otepka told in testimony released today how a trunk full of FBI reports was sold at public auction for non-payment of storage fees.

Mr. Otepka, 50, suspended as the department's to security evaluator for feeding information to the Senate Internal Security Subcommittee, said the strange auction was held between 1957 and 1960.

"This was a long, long time ago," a State Department official commented wryly.

Mr. Otepka, as he told the story to the Senate committee, said it all began when a security file-room employee took home some security documents to destroy. He turned them over to the apartment house janitor to put in the incinerator.

STORES DOCUMENTS

But the janitor—for reasons unknown—stored the security documents in a trunk. Later he consigned the trunk to a storage company—but the janitor did not keep up the fees.

Mr. Otepka's last word on the trunk with its load of FBI reports was that it was sold by the storage company at public auction.

Mr. Otepka, who remains in a \$20,000 State Department job pending a hearing on his suspension, cited another case of "misfiling" in the department's Office of Security.

At about the same time, he said, some 300 security files, including many FBI reports, were sent to a storage area off the premises.

But a careless employee, instead of putting them on a truck for the storage area, loaded them on a trash truck and every one of them was burned in the city incinerator.

Mr. Otepka, in another part of his testimony, said that he "presumes" many homosexuals "have escaped the security net" of the State Department, based on his experience as a security man and official figures on those fired for homosexuality.

Closer investigation, including "competent medical authority" in special cases, would help solve the problem, said Mr. Otepka, who has been barred from his regular job and assigned a make-work project by the State Department.

GETS REVERSAL

Mr. Otepka said that the State Department told him that when he came before the Senate subcommittee he could not discuss his own case, but that he protested and the decision was reversed.

The former evaluation chief described in detail actions taken by the department after learning he had been giving State Department material to the Internal Security Subcommittee.

"To begin with," he said, "I was ejected from my office (and) assigned to a much smaller office, in complete isolation."

Then, he continued:

"I was barred from the central file room . . . My activities, including my telephone, have been under surveillance. I was not allowed to have my own telephone (until recently). I was not allowed to have the services of a competent secretary."

The State Department's case against Mr. Otepka got hit when his "burn bag"—trash basket—was inspected, alleged proof of his help to the subcommittee was found and his telephone was tapped.

In the ensuing hassle, two high State Department officials quit under fire for telling questionable tales under oath to the subcommittee about

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Tele Room _____
Holmes _____
Gandy _____

ENCLOSURE

5 DEC 6 1965

*This is astounding
if true. I
think we should
look into it &
if true we shall
have to circum-
scribe dissemination
of our reports to
State Dept.*

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Daily News _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

ENCLOSURE

NOV 22 1965
NOT RECORDED
DEC 6 1965

ORIGINAL FILED IN 65

Mr. Otepka, and Mr. Otepka himself was put in what he calls "isolation."

A major complaint by the veteran security man is that he was denied a wage step-up while he has been in hot water. Ironically, he got a considerable wage increase anyway because of general government salary increases Oct. 1.

The committee also opened the door a crack on an intriguing sidelight of the case. Mr. Otepka swore that in the Summer of 1963 the State Department sent a security investigator named Terence Shea to Lima, Peru. The purpose: To find out from one "Lou Colombo" what Mr. Otepka's relations were with chief subcommittee counsel Jay Sourwine.

When another State Department official put it directly to Mr. Otepka as to whether the



OTTO F. OTEPKA
A Strange Auction...

official was being investigated by the subcommittee Mr. Otepka said he replied:

"I told him that I was not that well acquainted with you, Mr. Sourwine, to make such an inquiry on his behalf."

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

Memorandum

TO : The Director

DATE: 10/26/65

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages A6093-A6094. Congressman Cross, (R) Iowa, advised that in the publication Tactics, of the date of September 20, 1965, is an article by Mr. Edward Hunt calling attention to the case of Mr. John R. Norpel, Jr., who has been the victim of unwarranted punishment by officials in the State Department because of his support of Otto F. Otepka. He placed the article in the Record. The article states "Norpel, who is married and has two daughters, is clean-cut in looks and character. Although only 40 last August 6, he has given half his years to patriotic work, from the U. S. Army to the FBI, to the State Department. - - - His FBI work ranged from specialization in investigative photography to penetration of Communist underground activities to developing complex espionage cases. He was highly commended by J. Edgar Hoover in the designing of an investigative device for security tasks, and Hoover also commended him on other occasions in connection with security operations." The article points out that Otepka brought him into the State Department in July 1961 to work on a special project suddenly ordered for an exhaustive review of the security backgrounds of all at officer level. - - - Otepka, as Deputy Director of the Security Office, also brought in as evaluators, Raymond A. Loughton from the Defense Department, who was upset over being overruled

regarding Adam Yarmolinsky, and Francis V. Gardner, recently with FBI." (John R. Norpel, Jr., was employed with the Bureau as an Agent from April 23, 1961, until May 12, 1961. His services were satisfactory. Francis V. Gardner was employed as an Agent from May 17, 1949, until January 13, 1961. His services were satisfactory.)

65-68266-
NOT RECORDED
141 NOV 5 1965

206
57 NOV 12 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for 10-24-65 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of the memorandum may be clipped, mounted, and placed in the Bureau case or subject matter files.

PERS. REC. UNIT

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-01-2011 BY 60324 UCBAW/SAB/SBS

TO : The Director

DATE: OCTOBER 7, 1965

FROM : N. P. Callahan

SUBJECT: The Congressional Record
plus

Pages A5618-A5620. Congressman Minshall, (R) Ohio, extended his remarks concerning the Otepka case and made reference to an article written by John P. Loncaeos which appeared in the October 3rd edition of the Cleveland Plain Dealer. Mr. Minshall stated "It is my understanding that Mr. Otepka has requested an open hearing, and, on the basis of my own background knowledge of the matter and of the facts presented in the following story, I am hopeful that the Department of State will grant this request." The article entitled "The United States Versus Otto Otepka" was set forth in the Record.

Original filed in: 66-1731-2795

65-68266-
NOT RECORDED
102 OCT 20 1965

In the original of a memorandum captioned and dated as above, the Congressional Record for OCTOBER 6, 1965 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

69 OCT 27 1965

OPTIONAL
MAY 1962
GSA GEN.

UNITED STATES

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: November 15, 1965

FROM : C. D. DeLoach

SUBJECT: otto
STATE DEPARTMENT SECURITY--1963-65
"THE OTEPKA CASE--VI (Parts 7 and 8)"
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

For record purposes, there is attached one copy each of Parts 7 and 8 of the series of hearings held on State Department Security by the Senate Internal Security Subcommittee (SISS). No press release was issued, however, a stamp on the pamphlet reads, "Hold For Release, Nov 17 PM." The Foreword of each pamphlet indicates this is an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." The subject matter of these hearings included various subtopics, necessarily intertwined. All the testimony will be released, except for a very few instances of deletions for security reasons.

ACTION:

For record purposes.

Enclosures (2)

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. M. A. Jones

CDD:dgs
(7)

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DATE 4/29/82 BY SP2 TAP/ML

EX-107

REC-51

65-68266-66
8 NOV 24 1965

REC-59
EX-100

ENCLOSURE
ENCLOSURE ATTACHED

DEC 7 1965

EC 13 1965

RECORDED COPY FILED IN 62-39749-62-83217

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—VI

HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
FIRST SESSION

PART 7

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HOLD FOR RELEASE
NOV 17 PM

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1965

49-721 O

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Washington, D.C. 20402 - Price 25 cents

11/15/65
from Senate Internal Security Subcommittee

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—VII

HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

PART 8

Printed for the use of the Committee on the Judiciary

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WASHINGTON : 1965

49-721

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Washington, D.C. 20402 - Price 30 cents
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11/15/65
from Senate Internal Security Subcommittee

~~CONFIDENTIAL~~

December 3, 1965

MEMORANDUM

To: Robert Wick

From: J. G. Sourwine

Otto Stepha

Here is a copy of Part 10 of our State Department Security hearing series which has been marked to show the material on page 664 which, on the basis of your phone call this afternoon, I now understand you are willing to accept as a deletion instead of the explanatory correction which you wanted earlier.

65-68766-

NOT RECORDED

12 DEC 23 1965

In line with our conversation today, I understand that if this is not correct, or if you now think there should be any other changes, you will let me know on Monday.

191 DEC 27 1965

ENCLOSURE

~~CONFIDENTIAL~~

53 DEC 30 1965

*It is correct,
I told him, to
delete the entire
portion on page
664. He said he
would do. AS*

ORIGINAL FILED IN 161-222-40

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO :

MR. W. C. SULLIVAN

DATE: November 29, 1965

FROM :

D. J. BRENNAN, JR.

SUBJECT:

WILLIAM J. CROCKETT
DEPUTY UNDER SECRETARY OF STATE
FOR ADMINISTRATION
DEPARTMENT OF STATE

OTTO STAJAR

My memoranda of 10/4 and 6/65 discussed the January, 1964, testimony of Deputy Under Secretary of State for Administration William J. Crockett before the Senate Internal Security Subcommittee. The testimony, as it appeared in preliminary copies, left the impression that Crockett had knowledge of loyalty-type investigations conducted by the Bureau which involved cases of mistaken identity. When apprised of this by Liaison, Crockett, who had not previously seen the testimony, stated that words had been put into his mouth by Jay Sourwine, Committee Counsel, and he took immediate steps to correct the record.

On 11/23/65, Assistant Director DeLoach received a call from Sourwine, who said that in addition to Crockett's testimony, Crockett had, in March, 1964, furnished a "policy statement" which also mentioned the same matter of mistaken identity and he, Sourwine, wondered whether the Bureau wished to take any action concerning it.

On 11/26/65, Colonel George French, Assistant to Mr. Crockett, furnished Liaison Supervisor Bartlett with the attached copy of the 3/10/64 letter with which Crockett furnished the statement to the Subcommittee. The statement covers a number of questions which had been raised by the Subcommittee during Crockett's appearance before it on 1/28/64 and comments on matters which had received notice in the press. The statement, on page 2, reports that nearly all of State's 11,000 employees (in 1953) were considered in "sensitive positions" and were, therefore, subjected to full field investigations under Executive Order 10450. These were performed by State's Office of Security, by the FBI, and by more than 100 investigators borrowed from the Civil Service Commission. The statement points out that as a result of these investigations, it was found that in some cases, a State employee had been "caught up in a tangle of mistaken identity," while in other cases, allegations by informants who had been specified to be of unknown reliability were proved to be groundless.

Enclosure

CMB:hke (8)

1-Mr. Belmont

1-Mr. DeLoach

50 DEC 28 1965

1-Mr. Sullivan

1-Mr. Cleveland

1-Liaison

1-Mr. Bartlett

NOT RECORDED

191 DEC 27 1965

CONTINUED OVER

ORIGINAL FILED IN 161-228-39

Memorandum from Mr. Brennan to Mr. Sullivan
RE: WILLIAM J. CROCKETT
DEPUTY UNDER SECRETARY OF STATE
FOR ADMINISTRATION
DEPARTMENT OF STATE

Other problems are cited as the necessity for evaluators to distinguish between innocent and sympathetic associations with questionable organizations and distinctions between tolerable and intolerable personal conduct. Other than above noted, no reference whatever is made to FBI and Colonel French, who assisted in the preparation of the document, said that the "mistaken identity" cases were those in which derogatory information existed concerning an individual with a common name and who, by full field investigation, had been shown to be not identical with the State Department employee of the same name. It does not appear that the "policy memorandum" referred to by Sourwine is detrimental to the Bureau.

ACTION:

Inasmuch as a review of the attached "policy memorandum" fails to disclose any comment derogatory to the Bureau, it is not considered that any action is necessary. Mr. DeLoach will follow with the Senate Internal Security Subcommittee to further protect the Bureau's interests. We should make certain testimony has been corrected.

am. correct — *It should be* *Pr* *✓* *Wes* *↑* *agw.* *to* *band*

Right

Mr. Sourwine
5155 12/3/65

assumed that the
objectionable testimony
is being deleted.

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. Mohr

DATE: November 10, 1965

FROM : ~~C. D. DeLoach~~

REC-68
EX-105

SUBJECT: STATE DEPARTMENT SECURITY --1963-65
"THE OTEPKA CASE--V"--PART 6
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

For record purposes, there is attached one copy of the pamphlet entitled "State Department Security--1963-65, The Otepkas Case--V, Part 6," to be issued by the Senate Internal Security Subcommittee. No press release was received, however, a stamp on the pamphlet reads, "Hold For Release, Sun Nov 14 1965 AM." The Foreword indicates this is Part 6 of an extensive series of hearings held during 1963, 1964 and part of 1965 on State Department Security. This volume is subtitled "The Otepkas Case--V." The SISS conducted and published a series of hearings in 1961 and early 1962 dealing with the same subject matter. Subsequent parts of this series will include testimony on other phases of the investigation.

ACTION:

For record purposes.

ALL INFORMATION CONTAINED
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DATE 4/19/80 BY SP2 Twp/yp

SP1 AG/gte 8/14/90 #303739

Enclosure

* Additional copies of the pamphlet will be furnished upon receipt from the SISS.

Mr. Sullivan
Mr. Short
Mrs. Lorraine L. Whalen
Mr. M. A. Jones

CDD:dgs
(7)

ENCLOSURE ATTACHED EX-113

ENCLOSURE

FEB 11 1966

REC 30

65-68246-67

JAN 13 1966

COMM. RESEARCH

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—V

HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
FIRST SESSION

PART 6

Printed for the use of the Committee on the Judiciary

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DATE 07-15-2011 BY 60324 UCBAW/SAB/SBS



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1965

by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 30 cents.
Received by Crime Records Division
11-10-65
from Senate Internal Security Subcommittee

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FOIPA
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Total Deleted Page(s) ~ 2

Page 8 ~ Duplicate

Page 94 ~ Duplicate

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. DeLoach

DATE: January 17, 1966

FROM : R. E. Wick

14440

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--IX, PART 11
SENATE INTERNAL SECURITY SUBCOMMITTEE

For record purposes, there is attached a pamphlet entitled "State Department Security--1963-65, The Otepka Case--IX, Part 11." No press release was received, but a stamp on the pamphlet reads, "Hold For Release Thu Jan 20 1966 PM." The Foreword indicates this is part 11 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." All of the testimony will be released except for a very few instances of deletions for security reasons.

OTTO F.

ACTION:

For record purposes.

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine Whalen
- 1 - Mr. M. A. Jones

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DATE 6/19/80 BY SP-10/10/80

EX-100

REW:dgs
(7)

ENCLOSURE
ENCLOSURE
ENCLOSURE

REC-113

REC-82

65-45266-68

16 JAN 21 1966

70 MAR 1 1966

CORRESPONDENCE

COPY FILED IN

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—IX

HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
SECOND SESSION

PART 11

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49-721

WASHINGTON : 1966

For sale by the Superintendent of Documents, U.S. Government Printing Office
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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: January 10, 1966

FROM : R. E. Wick *w/a*

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--VIII, PART 10
SENATE INTERNAL SECURITY SUBCOMMITTEE

Tolson ☒
DeLoach ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Wick ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

OTTO F.

For record purposes, there is attached one copy of a pamphlet released by the Senate Internal Security Subcommittee (SISS) January 5, 1966, on "State Department Security, The Otepka Case, Part 10." The Foreword indicates this is an extensive series of hearings held during 1963, 1964 and part of 1965 on State Department Security. All the testimony will be released except for a very few instances of deletions for security reasons. Subsequent parts of the current series will include testimony on other phases of the investigation, subject by subject. These will be released successively and as rapidly as possible.

ACTION:

For record purposes.

- 1 - Mr. Sullivan
- 1 - Mr. Short
- 2 - Mrs. Lorraine L. Whalen
- 1 - Mr. M. A. Jones

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *4/1/82* BY *SP-10/SP-10*

REW:dgs
(7)

ENTIRE ATTACHED

EncBuh
file
2-16-66

REC 30

65-68266-69

REC-113

16 JAN 24 1966

CORRESPONDENCE

69 FEB 2 1966

UNREC COPY AND COPY OF ENCL FILED IN

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—VIII

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

PART 10

Printed for the use of the Committee on the Judiciary

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*1/5/66
release
date
per [unclear]*

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1965

49-721

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 35 cents

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: January 26, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
"THE OTEPKA CASE--X," PART 12
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Wick _____
Tele. Room _____
Holmes _____
Gandy _____

For record purposes, attached is a copy of the hearing held by the Senate Internal Security Subcommittee on State Department Security, The Oterka Case--X, Part 12. No press release was received, but a stamp on the pamphlet reads, "Hold For Release, Fri Jan 28 AM." The Foreword indicates this is part 12 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." Because of the great volume of this hearing record, covering nearly 2 1/2 years, it has been decided to organize the testimony for release by subjects or areas.

ACTION:

For record purposes.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mr. M. A. Jones
- 1 - Mrs. Lorraine L. Whalen

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HEREIN IS UNCLASSIFIED
DATE 4/19/82 BY SP-10/9

Additional copies of the pamphlet will be furnished upon receipt from the SISS.

REW:dgs

(7)

ENCLOSURE

EBF

Enc. Buhler

69 FEB 24 1966

FEB 15 1966

REC-113

REC-82

65-68266-70

5 FEB 2 1966

RESEARCH SATELLITE

UNRECORDED COPY FILED IN 62-37738-62-88417

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 12/28/66

FROM : R. E. Wick *REW*

SUBJECT: CONGRESSMAN H. R. GROSS (R - IOWA)
LETTER BEING SENT TO DIRECTOR RE
ELECTRONIC EAVESDROPPING

Tolson _____
DeLoach _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Clark Mollenhoff, Washington Bureau of the "Des Moines Register and Tribune," today telephonically advised Bishop in my office that he has learned from Congressman Gross' office that the Congressman is going to send a letter to Mr. Hoover, probably dated today, in reply to the Director's letter to him of 12/7/66 wherein the Director set forth the true facts, supported with documentation, concerning the approval of the Attorney General for the use of electronic eavesdropping techniques by the FBI. Mollenhoff said he has ascertained Congressman Gross' letter will advise the Director that after careful study of the Director's letter and its enclosures, Congressman Gross is convinced the FBI utilized electronic eavesdropping techniques only upon the specific approval of the Attorney General and the Department of Justice.

In his letter Congressman Gross will also make reference to the case of Otto F. Otepka, former chief, Division of Evaluations, Office of Security, State Department, which received considerable publicity after hearings on his dismissal from the State Department were held by the Senate Internal Security Subcommittee.

It will be recalled that Otepka's position in the State Department was to evaluate and make decisions with regard to individuals employed by the State Department who possibly could be security risks. When the Administration became unhappy about the number of persons being declared security risks by Otepka, John F. Reilly, who was then an attorney in the Department of Justice under Bobby Kennedy, was transferred to the State Department as Deputy Assistant Secretary for

1 - Mr. DeLoach
1 - Mr. Gale
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Miss Gandy
1 - Miss Holmes
1 - Mr. Jones

TEB:mls
(9) *me*

65-68226-
NOT RECORDED
199 FEB 24 1967

6 FEB 23 1967

CONTINUED - OVER

ORIGINAL FILED IN 65-68226-1525

382 6 MAR 2 1967

Wick to DeLoach
RE: CONGRESSMAN H. R. GROSS

Security, and thus became Otepka's boss. The purpose of Reilly's going to the State Department was to check up on Otepka. Reilly proceeded to put microphones in Otepka's telephones and to place a "bug" in his office. This was finally disclosed to the public in hearings before the Senate Internal Security Subcommittee. In spite of this, after Otepka was dismissed by the State Department, Reilly was rewarded for his work by being appointed by the Administration to a high position in the Federal Communications Commission. Congressman Gross is going to cite in his letter to the Director the Otepka case as another instance where Bobby Kennedy was aware of the utilization of electronic eavesdropping techniques and certainly approved their use.

Clark Mollenhoff also advised that Congressman Gross will conclude his letter to Mr. Hoover by asking that Mr. Hoover keep him advised of any additional developments with regard to electronic eavesdropping.

Mollenhoff stated his information is that Congressman Gross, on 12/29/66, will make public the letter which he is to send to Mr. Hoover today.

OBSERVATIONS

It would appear that if the above letter along the indicated lines is sent by Congressman Gross to the Director and is made public, it will certainly give additional support in the minds of the public to the fact that the FBI utilized electronic eavesdropping techniques only with the knowledge and specific approval of the Attorney General and the Department of Justice.

RECOMMENDATION

None. For information.

Congressman Gross called me
12-28-66 re above. The Director
was advised.

Wick *DeLoach* *JS* *JS*

N. 1-8

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—X

HEARINGS
BEFORE THE
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
SECOND SESSION

PART 12

Printed for the use of the Committee on the Judiciary



HOLD FOR RELEASE
FRI JAN 28 1966 AM

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U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON: 1966

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Total Deleted Page(s) ~ 4

Page 8 ~ Duplicate

Page 260 ~ Duplicate

Page 261 ~ Duplicate

Page 533 ~ Duplicate

UNITED STATES GOVERNMENT

Memorandum

Tolson ☒
DeLoach ☒
Mohr ☒
Wick ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO : Mr. DeLoach

DATE: February 7, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--XI and XII
PARTS 13 and 14
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

For record purposes, there are attached copies of the hearings held before the Senate Internal Security Subcommittee on State Department Security, "The Otepkas Case--XI, Part 13," which was released on February 3, 1965, and "The Otepkas Case--XII, Part 14," to be released February 10, 1966. No proposed press releases were received. The Foreword in each pamphlet indicates this is part of an extensive series of hearings held during 1963, 1964 and 1965 on "State Department Security." Because of the great volume of this hearing record, it has been decided to organize the testimony for release by subject or areas. All the testimony will be released except for a very few instances of deletions for security reasons.

ACTION:

For record purposes.

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine L. Whalen, Room 722 9th & D
- 1 - Mr. Jones

REW:dgs
(7)

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HEREIN IS UNCLASSIFIED
DATE 4/17/80 BY sp/tpj/aw

REC-9

REC-10

65-68266-71
FEB 18 1966

MAR 1 1966

ENCLOSURE

ENCLOSURE ATTACHED

LIASON

MAR 23 1966

COPIES FILED IN

STATE DEPARTMENT SECURITY—1963-65

THE OTEPKA CASE—XII

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 14

Printed for the use of the Committee on the Judiciary

HOLD FOR RELEASE
THU FEB 10 AM



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON: 1966

49-721

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 35 cents

Received by Crime Records Division

2-7-66
from Senate Internal Security Subcommittee

February 16, 1966

REC-79

65-65-66-72
Mr. Robert A. Hill
Post Office Box 81
Markleville, Indiana 46056

Dear Mr. Hill:

I received your letter of February 10th and want to thank you for the interest in writing.

With respect to your inquiry, information contained in the files of the FBI must be maintained as confidential in accordance with regulations of the Department of Justice. I trust you understand the necessary reasons for this policy and why I cannot furnish you the data you desire. You may be assured the FBI is ever aware of its responsibilities regarding the internal security of our Nation, and it will continue to make every effort to discharge its obligations with the highest degree of thoroughness and dispatch.

Sincerely yours,

J. Edgar Hoover

MAILED 7

FEB 16 1966

COMM-FBI

1 - Indianapolis - Enclosure

NOTE: Bufiles reflect that correspondent is on the mailing list of the Minutemen and there is no other information concerning him in Bufiles. The matter to which he refers is in all probability regarding Otto Stepka who was relieved of his position by the State Department for having made certain information available to a Congressional committee.

DFC:cai

(4)

FEB 25 1966

MAIL ROOM ☐ TELETYPE UNIT ☐

May 10, 1966
Art A. Hill
Box 81
Kokomo, Indiana

To:

J. Edgar Hoover
Director of F.B.I.
Washington 1, D.C.

Dear Mr. Hoover;

This letter is being written to you in connection with a
~~matter which I feel is of great importance and concern to all~~
of us, as American citizens.

As you undoubtedly know, there has been much talk about the degree of infiltration and subversion into our government by the Communist and their agents over the past several years. --- Much of this discussion has come about through the publications of the so-called "right-wing extremist" groups, -- and for the most part has been made unpopular in the eyes of the general public, by being labeled as radical and ridiculous.

However, a few weeks ago I became most concerned over an article which appeared in our local newspaper. -- The article dealt with an alleged list of names, which was in the possession of the U.S. State Department, of about 800 persons who are employed in key positions within our government. --- These persons according to the article, were potential risks to the security of our nation. -- Many of them were believed to be pro-communist, socialist, fascist, homosexuals, etc; ; ; ;. -- When the State Dept. was asked by a Congressional Sub-committee, to turn this list of names over to them for investigation, the department flatly refused. The matter was apparently dropped, as there was nothing more ever done about it. Also, the State Dept. official who gave this information to the Congressional sub-committee, was promptly discharged from his position.----- Upon making a personal investigation, I discovered that in 1953 a similar Congressional investigation was proposed in an attempt to expose and "root out" the subversives in our government. -- For some unexplained reason, this plan was likewise dropped and nothing more was ever heard about it.----- Things, such as this, Mr. Hoover, make one wonder just how ridiculous the "right-wing" claims really

In view of the circumstances, it would seem fruitless, to write to my congressman about this. --- Since your office, would appear, to be the only politically untouchable source available, I have chosen to write to you on this matter. --- I am sure there are other people in this country who are equally concerned about this as I am, although they may not have written to you about it. -- I would, very much appreciate hearing from your office, as to what, if anything, is being done about this problem, and how serious it is.

REC-79 CORRESPONDENCE

Most respectfully yours,

Robert A. Hill

March 3, 1966

65-68266

Mr. William A. Glenn
Director of Federal Projects
Jefferson County Board of Education
Office of the Superintendent
A-400 Courthouse Building
Birmingham, Alabama 35203

Dear Mr. Glenn:

Your letter of February 23th has been received, and I want to thank you for your complimentary comments as well as for the kind sentiments. You may be certain I will strive to merit your continued approbation.

In response to your request, it is not within my prerogative nor in the scope of my authority to intercede in matters that are not within the investigative jurisdiction of this Bureau. Further, the FBI neither clears nor concurs in the clearances of any employee of the Federal Government, and being strictly an investigative agency of the Federal Government neither makes evaluations nor draws conclusions as to the character or integrity of any organization, publication or individual. Therefore, I am sure you will understand why I am not in a position to respond as you desire.

Sincerely yours,
J. Edgar Hoover

NOTE: There is nothing derogatory in Bufiles regarding Glenn and our last outgoing to him was dated 6-26-64. ~~_____~~ He was addressed as above in our prior outgoing, and there is no listing for him in the Birmingham telephone directory. 25 01, 00

DFC:asf (3)

directory. 25 01, 00

Tois _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Rm. _____
Holmes _____

57 MAR 15 1966

MAIL ROOM ☐ TELETYPE UNIT ☐

RECEIVED
MAR 3 3 13 PM '66
FBI

ORIGINAL FILED IN 65-68266-7

V am n/a

JEFFERSON COUNTY BOARD OF EDUCATION
OFFICE OF THE SUPERINTENDENT
A-400 COURTHOUSE BUILDING
BIRMINGHAM, ALABAMA

February 28, 1966

BOARD OF EDUCATION

C. R. BOTTENFIELD, President
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Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Honorable John Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

You probably recall corresponding with me when I was Principal of Plainview School, Hartselle, Alabama. After receiving my M.A. in education from the University of Alabama I am now on this job which involves implementing the federal aid to education programs under the new Elementary and Secondary Education Act.

As an educator and private citizen I am most concerned about the case of Otto Otepka, who is being ousted from his job in the Department of State for furnishing the Senate Sub-Committee on Internal Security certain security information.

If I understand the details correctly the only violation Otepka seems to be guilty of is loyalty to America and upholding the good name of the United States. I do not know what overriding issues are involved, but it seems that it would be a gross error for Otepka to go down the drain, especially when the security of our nation is at stake.

As you know I am also a Baptist minister, and my conscience dictates that I speak out as I have in this matter. If you agree with me I am asking you do everything within your province to intervene for Otepka.

I might mention that I have written about a dozen Senators about this including John Sparkman, a personal friend of mine. If enough of them would get together and knock on the White House door I believe that something would be done.

I close by saying again I appreciate the many years of dedicated service rendered our nation as head of the FBI. My best wishes for continued good health and success in your work.

Sincerely yours,
William A. Glenn
William A. Glenn
Director of Federal Projects

ack 3-3-66
OFC/ast

10 MAR 2

CORRESPONDENCE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: April 1, 1966

FROM : R. E. Wick

Otto F. Oetika

SUBJECT: STATE DEPARTMENT SECURITY--1963-65

THE OTEPKA CASE--XIII

SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson ☒
DeLoach ☒
Mohr ☒
Wick ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

For record purposes, attached is a copy of Part 15 of the hearings held on State Department Security, "The Otepka Case--XIII," to be released Tuesday, P.M., April 5, 1966. The Foreword indicates this is Part 15 of an extensive series of hearings held during 1963, 1964 and part of 1965 on "State Department Security." All the testimony will be released except for a very few instances of deletions for security reasons.

ACTION:

For record purposes.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/4/80 BY SP-10/K

Enclosure

ENCLOSURE

ENCLOSURE ATTACHED

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine Whalen, 722 9th & D
- 1 - Mr. M. A. Jones

REW:dgs
(7)

REC-39

REC-18

65-68266-73

XEROX
MAY 10 1966

69 MAY 20 1966

4 APR 12 1966

CRIME RESEARCH

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65-68246-73

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DATE 05-04-2011 BY 60324UCBAW/SB/CHW

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—XIII

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 15

Printed for the use of the Committee on the Judiciary

HOLD FOR RELEASE



TUE APR 5

PM

Received by Crime Records Division

4-1-66

from Senate Internal Security Subcommittee

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1966

49-721

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 30 cents

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: April 22, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
"THE OTEPKA CASE--XV"
PART 17
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson ☒
DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Gale ☒
Rosen ☐
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

For record purposes, there is attached one copy of Part 17 of the hearings held on State Department Security, The Otepka Case, before the Senate Internal Security Subcommittee (SISS), which will be released April 27, 1966. Part 17 includes testimony by the following individuals:

Otto F. Otepka - 1963
John R. Norpel, Jr. - 1964
Edwin A. Burkhardt - 1964
Frederick W. Traband, Jr. - 1964
Raymond A. Loughton - 1964
Harry M. Hite - 1964
William J. Crockett - 1965

ACTION:

For record purposes.

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Whalen - Room 722-9th & D
- 1 - Mr. Jones

Enclosure

REW:dgs
(7)

"ENCLOSURE ATTACHED"

ENCLOSURE

*Additional copies of the hearings will be furnished upon receipt from the SISS.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/20 BY SP-10/10/10

REC-87
REC-10

65-63266-74

2 MAY 13 1966

UNRECORDED COPY FILED IN 65-63266-74

39 MAY 13 1966

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—XV

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 17

Printed for the use of the Committee on the Judiciary

HOLD FOR RELEASE
WED APR 27 AM



Received by Crime Records Division
4-22-66
from Senate Internal Security Subcommittee

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49-721

WASHINGTON: 1966

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Washington, D.C., 20402 - Price 45 cents

65-68266-74

UNITED STATES DEPARTMENT

Memorandum

TO : Mr. DeLoach

DATE: April 12, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
"THE OTEPKA CASE--XIV"
PART 16
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson ☒
DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

For record purposes, attached is one copy of Part 16 of the hearings held before the Senate Internal Security Subcommittee on State Department Security, "The Otepka Case--XIV," to be released on April 14, 1966. Part 16 includes testimony of the following individuals:

Otto F. Otepka - 1963
John F. Reilly - 1963
Frederick G. Dutton - 1964
William J. Crockett - 1964 and 1965

ACTION:

For record purposes.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine L. Whalen - 722 9th & D
- 1 - Mr. Jones

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

REW:dgs
(7)

REC 17

EX-104

10 MAY 11 1966

MAY 27 1966

ENCLOSURE

ENCLOSURE ATTACHED

69 JUN 6 1966

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UNRECORDED COPY FILED IN

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—XIV

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 16

Printed for the use of the Committee on the Judiciary



65-68266-75

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1966

49-721

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 • Price 25 cents

UNITED STATES GOVERNMENT

Memorandum

TO

Mr. DeLoach

DATE: May 17, 1966

FROM

R. E. Wick

SUBJECT

STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--XVII
PART 19
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson ☒
DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Rosen ☒
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

For record purposes, attached is a copy of Part 19 of the hearings held on State Department Security, The Otepka Case, to be released on May 22, 1966, by the Senate Internal Security Subcommittee.

Part 19 includes testimony by the following:

William J. Crockett - 1964, 1965
John F. Reilly - 1963
Otto F. Otepka - 1963
William O. Boswell - 1964
Harry M. Hite - 1964
Colonel George W. French, Jr. - 1964
Henri G. Grignon - 1964

ACTION:

For information.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine L. Whalen - 722 9th & D
- 1 - Mr. Jones

REW:dgs

(7)

ENCLOSURE

ENCLOSURE ATTACHED

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

79 JUN 13 1966

XEROX
MAY 25 1966

6 MAY 25 1966

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STATE DEPARTMENT SECURITY—1963-65

THE OTEPKA CASE—XVII

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 19

Printed for the use of the Committee on the Judiciary

HOLD FOR RELEASE
SUN MAY 22

AM



Received by Crime Records Division

5-17-66
from Senate Internal Security Subcommittee

U.S. GOVERNMENT PRINTING OFFICE

49-721

WASHINGTON: 1966

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 50 cents

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Sullivan

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. W. C. Sullivan

DATE: 6/9/66

FROM : R. D. Cotter *RC*

1 - Liaison
1 - Mr. Cotter
1 - Mr. Wacks

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/20/80 BY SP2 KAP/JP

Deputy Under Secretary of State for Administration
William J. Crockett has requested through Bureau Liaison
that the Director be informed that documents furnished the
Senate Internal Security Subcommittee from State files was
done without State approval and State is opposed to the
disclosure of these documents.

Subject is the controversial State Department
official against whom State, on 9/26/63, levied administrative
charges alleging he gave classified and unclassified State
documents to Jay Sourwine, Chief Counsel, Senate Internal
Security Subcommittee, in connection with hearings being
held by Subcommittee pertaining to personnel security at
State. We investigated at request of Department to ascertain
if Otepka had violated espionage statutes and theft of
Government property statutes. By letter 3/18/64, Department
declined prosecution on grounds that it could not be proven
Otepka was "willful" in furnishing these documents to Sourwine
and it was doubtful if national defense character of classified
documents could be proved.

On 6/7/66 Mr. George French in Crockett's office at
State, furnished our liaison representative a portion of the
published hearings of the Subcommittee and also a copy of Under
Secretary of State George W. Ball's letter of 5/31/66 to
Senator James O. Eastland, Chairman of the Senate Judiciary
Committee. Ball's letter pointed out the concern of the
Department of State over the proposed publication by the
Subcommittee of documents furnished by Otepka, which are still
classified, and also documents furnished the Subcommittee by
John R. Norpel, former employee at State under Otepka who
also testified before the Subcommittee. (Norpel is a former
Bureau Agent 1951-1961 when he resigned for personal reasons.)

French advised Liaison that Crockett had asked that
the Director be advised that none of these documents was
furnished the Subcommittee by State and that State is bitterly
opposed to the disclosure of their contents.

ENCLOSURE

ENCLOSURE ATTACHED

65-68266

27 JUN 24 1966

XEROX

14 JUN 15 1966

CONTINUED - OVER

CLARIFYING

UNRECORDED COPY FILED IN

Memorandum Cotter to Sullivan
RE: OTTO F. OTEPKA
65-68266

A review of the material furnished by French
does not indicate that any Bureau information is involved.
In addition, no Bureau action is indicated.

ACTION:

For information.

over *WC* *V* *to*
D *GMC*

Over

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—XV

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

Appendix to
PART 17

Printed for the use of the Committee on the Judiciary

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65-68266-77

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Total Deleted Page(s) ~ 3
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Page 685 ~ Referral/Direct
Page 686 ~ Referral/Direct

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: June 7, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
THE OTEPKA CASE--XV
APPENDIX TO PART 17
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Tolson ☒
DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

For record purposes, attached is one copy of the Appendix to Part 17 of the hearings held on State Department Security, The Otepka Case, before the Senate Internal Security Subcommittee, which will be released June 12, 1966. Part 17 was released by the Subcommittee on April 27, 1966. The Appendix to Part 17 contains testimony of William J. Crockett, Deputy Under Secretary for Administration, Department of State.

ACTION:

For record purposes.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short*
- 1 - Mrs. Lorraine Whalen* - 722 9th & D
- 1 - Mr. Jones*

REW:dgs
(7)

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

ENCLOSURE ATTACHED

EX-103
REC-87

REC 17

JUN 17 1966

57 JUN 28 1966

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: May 10, 1966

FROM : R. E. Wick

SUBJECT: STATE DEPARTMENT SECURITY
THE OTEPKA CASE--XVI
PART 18
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

For record purposes, attached is one copy of Part 18 of the hearings held by the Senate Internal Security Subcommittee on State Department Security, The Otepkas Case, which will be released on May 15, 1966. Part 18 includes testimony by the following individuals:

William J. Crockett - 1964
Frederick G. Dutton - 1964
Otto F. Otepkas - 1963
John R. Norpel, Jr. - 1964
Abram Chayes - 1964
Harry M. Hite - 1964
Francis G. Knight - 1964
John F. Reilly - 1963
David I. Belisle - 1964
Colonel George W. French, Jr. - 1964
Henri G. Grignon - 1964
Karl D. Ackerman - 1964
Wilson C. Flake - 1964
Richard A. Frank - 1964

ACTION:

ENCLOSURE

For record purposes.

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short
- 1 - Mrs. Lorraine Whalen - 722 9th & D
- 1 - Mr. Jones

REW:dgs "ENCLOSURE ATTACHED"
(7)

JUL 12 1966

DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☐
Gale ☐
Rosen ☐
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

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65-68266-79

STATE DEPARTMENT SECURITY—1963-65
THE OTEPKA CASE—XVI

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DATE 05-12-2011 BY 60324UCBAW/SB/CMW

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 18

Printed for the use of the Committee on the Judiciary

HOLD FOR RELEASE

SUN MAY 15 1965 AM



Received by Crime Records Division
5/10/66
from Senate Internal Security Subcommittee

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON: 1966

49-721

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 30 cents

UNITED STATES GOVERNMENT

Memorandum

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DATE 05-12-2011 BY 60324UCBAW/SB/CMW

TO : The Director

DATE: *June 21, 1966*

FROM : N. P. Callahan

SUBJECT: The Congressional Record

H Page 13050. Congressman Ashbrook, (R) Ohio, spoke concerning the Freedom of Information bill (S. 1160) pointing out that there has been a crying need for this legislation for many years. He stated "By means of misclassification and downright refusals, executive branches have withheld information which properly belonged to Congress and the people. Equally important is the fate of those in executive offices who forthrightly provide information to Congress derogatory to their particular agency." Mr. Ashbrook included an article entitled "Suppression Bid Bared in Otepka Case—Plea Made by State Department" written by Willard Edwards of the Washington office of the Chicago Tribune.

otfo

Original filed in: 66-1731-7913

65-68266-
NOT RECORDED

141 JUN 29 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for *June 20, 1966* was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

56 JUL 12 1966

September 7, 1966

REC 32

65-68266-80

Mr. J. K. Connolly
361 Dickens Road
Northfield, Illinois 60093

Dear Mr. Connolly:

I received your letter of August 30th, and
I want to thank you for your kind sentiments and generous
remarks concerning my administration of the FBI.

It is always encouraging to receive such
comments and you may be assured I shall continually strive
to merit the confidence you have placed in me.

Sincerely yours,

J. Edgar Hoover

NOTE: Bufiles contain no record of correspondent. Otto Otepka
is a ~~former~~ State Department employee and is well known to the
Bureau.

BGH:lwp
(3)

olson _____
eLoach _____
ohr _____
ick _____
asper _____
allahan _____
onrad _____
elt _____
le _____
osen _____
llivan _____
vel _____
otter _____
le, Room _____
mes _____

6-2 SEP 14 1966

TELETYPE UNIT

August 30, 1966.

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Wick _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

Eys I am writing this letter to thank you for all the many devoted years you have given for the protection and safety of this great nation against the horror of the Communist conspiracy. I thank God that we were so fortunate to have you as the head of the FBI, and that we will continue to have you for many, many more years.

Frankly, I'm sore afraid for this nation, so many things are being done in our government that only seem to be helping the Communists, that our government seems to be ignoring your warnings, and that such an outrage, for instance, could happen ^{such} to a patriot as Otto Otepka.

Thank you, again Sir, and God bless you!

Sincerely,

J.K. Connolly
J.K. Connolly

361 Dickens Rd.

Northfield, Ill. 60093.

REC 32

65-68266-80

1 SEP 2 1966

CORRESPONDENCE

ch 9/1/66
10/1/66

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: September 26, 1966

FROM : R. E. Wick *REW*

SUBJECT: STATE DEPARTMENT SECURITY
THE OTEPKA CASE
PART 20 *0770*
SENATE INTERNAL SECURITY SUBCOMMITTEE

Tolson ☒
DeLoach ☒
Mohr ☐
Wick ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

For record purposes, attached is one copy of the above-captioned hearings held before the Senate Internal Security Subcommittee to be released October 2, 1966. Part 20 includes testimony by the following:

John F. Reilly - May 21, 22, 23, 1963

Otto F. Otepka - August 12 and 16, 1963

ACTION:

For record purposes

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short*
- 1 - Mrs. Lorraine Whalen, 722-9th & D*
- 1 - Mr. Jones*

REW:dse
(7) *REW*

EX 106

*Additional copies of the pamphlet will be furnished upon receipt from the SISS.

Enclosure

OCT 12 1966

ENCLOSURE

F165

53 OCT 17 1966

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *12/10* BY *SP2TAP/ur*

REC-138

ALL INFORMATION CONTAINED
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DATE *12/10* BY *SP2TAP/ur*

OCT 3 1966

65-68266-81

STATE DEPARTMENT SECURITY—1963-65

THE OTEPKA CASE—XVIII

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CMW

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

SECOND SESSION

PART 20

Printed for the use of the Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE

49-721

WASHINGTON : 1966-

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 45 cents

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: 10/21/66

FROM : D. J. Brennan, Jr.

SUBJECT: OTTO F. OTEPKA
DEPARTMENT OF STATE

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Otto F. Otepka was Chief of Evaluations, Office of Security, Department of State, and received salary GS-15. In 1963 he was suspended from his duties pending a hearing prior to dismissal. In the meantime he has received full salary, yet has not been assigned any duties to perform. The basis for the State Department action was the allegation that Otepka furnished information to the Senate Internal Security Subcommittee.

On 10/20/66, Liaison Agent Bartlett was advised by Mr. Robert D. Johnson, Deputy Director, Passport Office, State, that he has learned confidentially that the President has instructed to get this matter resolved quickly and that State Department now plans to dismiss the action against Otepka. He further advised that he has learned that Otepka is insisting that State issue a press release which would clear him of all charges.

ACTION:

For information. You will be advised of further developments.

- 1 - Mr. DeLoach
- 1 - Mr. Mohr
- 1 - Mr. Gale
- 1 - Mr. Sullivan
- 1 - Liaison
- 1 - Mr. Bartlett

OHB:rab
(7)

REC 53

EX-113

12 OCT 26 1966

F384

F919

5- [Signature]

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CMW

Mr. Tolson _____

Mr. DeLoach _____

Mr. Mohr _____

Mr. Wick _____

Mr. Casper _____

Mr. Callahan _____

Mr. Conrad _____

Mr. Felt _____

Mr. Gale _____

Mr. Rosen _____

Mr. Sullivan _____

Mr. Tavel _____

Mr. Trotter _____

Tele. Room _____

Miss Holmes _____

Miss Gandy _____

October 10, 1966

MR. TOLSON: ✓

Roger Robb, local Washington Attorney, who is also the Attorney for Frances Knight, Passport Office, Department of State, called me on 10/10/66 and stated he learned from a very reliable source that the Washington Post has assigned one of its reporters, Dick Harwood, to "do a job" on the Director and Otto Otepka. Otepka is the State Department employee who was suspended on the basis that he furnished confidential information to the Senate Internal Security Subcommittee. *OTTO OTEPKA*

I asked Robb how reliable his information was concerning this matter. He stated he felt it was very reliable; however, he had no proof.

The Crime Records Division will prepare a memo regarding what background there is in FBI files on Washington Post reporter Dick Harwood. This Division should also attempt to find out discreetly if there is any substance to Robb's information.

Respectfully,

C. D. DeLOACH

CDD:hmm

(3)

1 - DeLoach

1 - Wick

NOT RECORDED

12200 26 1966

OCT 24 1966

ORIGINAL FILED IN 94-8-6-481

PERS. REC. UNIT

51 NOV 3 1966

F384

James Wick memo
10-11-66; EHR:pal

REC-39 65-68266-83

February 6, 1967

Mr. E. R. Brandenburg
2786 24th Street
Sacramento, California 95818

Dear Mr. Brandenburg:

Your letter of January 31st has been received.

While I would like to be of assistance, as a matter of policy, I am unable to comment on the subject you discussed. I am sure you understand my position.

Sincerely yours,

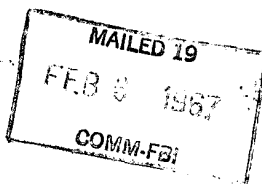
J. Edgar Hoover

John Edgar Hoover
Director

NOTE: Bufiles reflect one prior outgoing to Mr. Brandenburg in September, 1965, advising us that he was subscribing to "The Worker" for the purpose of doing research and trying to obtain a better understanding of the communist menace. Correspondent's letter consists of five pages which appear to be copies. Correspondent's communication is sprinkled with newspaper clippings about Otto F. Otepka and Mr. Brandenburg appears to be in sympathy with Mr. Otepka.

ED:cvj (3) *WJ*

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
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Trotter _____
Tele. Rm. _____
Holmes _____
Gandy _____



59 FEB 14 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

FEB 6 4 12 PM '67
REC'D-READING ROOM
B I

Sometime ago, as you can
see by the date on this
material, I started this
letter to you. Now at this
late date I have finally
completed it.

1/31/67

E. Brandenburg

November 1966

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.

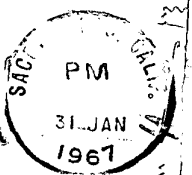
Dear Mr. Hoover:

I have finished as of lately what I consider to have been a task. In late July, 1965, the current issue of Reader's Digest had an article intitled "The Ordeal of Otto Otepka". This article started out, "Why have State Department employees been using the tactics of a police state to oust a dedicated security officer whose only sin seems to be loyalty to his country?" I must have read that article three or four times. In fact, my interest by then was great enough to cause me to inquire about it.

A few days later on August 8, 1965, one of our local newspapers carried an article on Otto Otepka intitled "Snooping by U.S. Detailed". The thing that caught my eye was this one sentence, "The latest volume of testimony does not reveal any new evidence on the Otepka Case." To make a long story short, I found out that those volumes that had been released were available from the Senate Internal Security subcommittee (SISS). I wrote and requested this material. With testimony going back as far as 1959 (nearly 30 volumes) it took me four months of off and on reading to get through this material. In this first reading and when again going over different sections of this material I wrote down what was important so as to form an account of what has taken place in this testimony.

The events contained in the material I have put together include such things as:

1. The creation of the Bureau of Security and Consular Affairs headed by Scott McLeod.
2. The start of the Wriston Plan which brought about the eventual integration of rotational Foreign Service personnel and the Department's Civil Service security employees.
3. The strange clearance of William Wieland.
4. The continual elimination and demotion of qualified Civil Service security officers.
5. The transfer of the Special Update Project files and liaison with the FBI on substantive intelligence matters from the jurisdiction of the Office of Security to the Senate Internal Security subcommittee with documents that proved he was telling the truth and that his superior was lying to the Senate subcommittee about security matters.
6. The lock out of Mr. Otepka after he furnished the Senate Internal Security subcommittee with documents that proved he was telling the truth and that his superior was lying to the Senate subcommittee about security matters.
7. The persecution of seven security officers who were courageous enough to come forth and testify before the SISS and give Mr. Otepka their support.
8. The order by Dean Rusk which called for the burning of the security files located in the State Department's twenty investigative field offices, an order to be carried out no later than one month before the presidential election of November, 1964.



Red

November 17, 1966

Now I have two questions to ask you. I realize I am no expert but how long does a person have to observe these things before he can state that something is very wrong in this country of ours? Is this really an extreme statement when I say that the controlling element in the State Department has something else in mind for our State Department and our Republic?

The following are from newspaper clippings I have collected.

Chicago Tribune

FOUNDED JUNE 10, 1847

J. HOWARD WOOD, Publisher
W. D. MAXWELL, Editor

Monday, August 9, 1965

Editorial

* * *

WHERE ARE THEY NOW?

* * *

Over the years communist sympathizers had a great deal to say about the formation of American policy in the orient. These connections were established beyond question by the Senate internal security subcommittee's investigation of the Institute of Pacific Relations over a period of 13 months in 1951 and 1952.

The report of the subcommittee found the IPR to be a propaganda outlet and transmission belt to influence the United States in advancing communist objectives in the far east. Its agents sometimes represented the United States in China and were able to exert maximum leverage on the state department and the White House.

Now that we are engulfed in Viet Nam, it is pertinent to inquire what happened to the inner circle of this pro-communist lobby. Well, one of its members, and a member of its governing body, the American council, is our secretary of state — none other than Dean Rusk. He was one of its principal fund raisers, hitting the big foundations. When it was already under fire as a communist operation, he recommended that the chief of military intelligence rely on its publications.

* * *

From the Catholic newspaper
"THE WANDERER"

10/10/63

Otepka And Nitze, Symbols Of New Disarmament Policy

By ROBERT MORRIS

The case of Otto F. Otepka, the Department of State security officer who has been dismissed for allegedly cooperating with the chief counsel of the Senate Internal Security subcommittee, J. G. Sourwine, is but a symptom of the deep underlying cleavage between Executive-branch policy and the prevailing attitudes in the Congress. The Paul Nitze case, breaking at the same time, reflects this same contradictory approach.

For many years, I served as counsel to the subcommittee involved. During most of that time, I worked in effective alliance with Scott McLeod, then State Department security chief, and his staff. In that period, the goals of the State Department and the Senate were the same — the extension of liberty and freedom, and the thwarting of Communism.



Robert Morris

Now, however, the State Department has a new goal. It is no longer striving to thwart the Communists. It seeks, instead, to effect a merger with them under the United Nations. The prevailing majority of the Congress does not accept this as our policy. In fact, many lawmakers still do not even recognize that this is, indeed, the Administration's avowed intent.

Let me cite a shocking example of this new policy. It is now known that the State Department entered into an arrangement with Castro whereby that bearded dictator names every other

Cuban refugee coming into the United States. Such an agreement fits Executive-branch policy, but shocks security-conscious officials who recognize the tremendous advantage Castro derives from sending hundreds of his agents here.

The State Department discards the Ambassadors who correctly diagnosed and opposed the ascent of Castro. The late Whiting Willauer was relieved long before his untimely death. Ambassadors Robert C. Hill and Earle E. T. Smith have long since departed from diplomatic ranks. Yet the Department embraces and keeps in its inner circle the Philip Bonsals and the William Wielands who helped pave the way for Castro.

The Otepkas, the Hills and the Smiths are appalled by the enormity of the Soviet conquest of Cuba.

* * *

In the New York "World-Telegram and Sun," Nov. 18.

11/18/63
by former
Ambassador

HENRY J. TAYLOR

* * *

America's internal security is vital, delicate (and often tragic) work against an enemy that never sleeps. Yet, the State Department security section, which Otto F. Otepka headed after serving under every administration for 19 years, has been knocked into utter shambles by a left-wing element that moved into the State Department when the New Frontier took over.

The result is the destruction of anti-Communist experts and tragic discouragement to courageous vigilantes.

* * *

There are so-called "liberal" personalities high among the New Frontiersmen who have been cracking at any internal security forces inside and outside the State Department, including Director J. Edgar Hoover and the FBI, for many years.

They didn't like any of the security forces in the Alger Hiss case, the Robert Oppenheimer case or any other instance of activity. They have their inside ways, their innuendoes and their devices of assassination which are relentless, far-reaching.

Formerly they were on the outside. Now many have come to power. And they carry great weight in the administration.

* * *

State Department Aid Tells of Harassment

BY WILLARD EDWARDS

[Chicago Tribune Press Service]

Washington, Aug. 5—Senate investigators disclosed today that the state department has fired a security officer in apparent reprisal for his candid testimony in the Otto F. Otepka case.

John R. Norpel Jr., 40, a former Federal Bureau of Investigation supervisor with an outstanding record, was notified that his discharge would take effect Aug. 8. His \$13,750

salary as a personnel security specialist in the state department's office of security was cut off last April 1.

As a civil service career employe, Norpel is entitled to appeal the ruling. He has retained a lawyer and will fight for his rights, he said, charging that he has been harassed for his "full and frank testimony" in the Otepka case.

Publishing Its Results

The Senate internal security subcommittee is now publishing the results of a three-year inquiry it has made into the discharge of Otepka, former deputy director of the state department's security office.

All members of the subcommittee, in a formal letter to Secretary of State Dean Rusk, have described the action taken

against Otepka as "a great tragedy." The evidence revealed thus far has supported a finding that Otepka was penalized because he refused to cover up bad security practices in the department.

Norpel was hired by Otepka in July, 1961, on the basis of a 10-year FBI record which gained him nine personal commendations from Director J. Edgar Hoover.

Headed 20 Agents

As a special agent supervisor in the field, Norpel headed an internal security squad of 20 agents and as supervisor in FBI headquarters, in Washington from 1956 to 1959, he handled soviet and soviet-bloc espionage activities in a number of important cases.

He suffered a 40 per cent loss of hearing, however, thru the continuous use of firearms, and was advised by doctors to seek less hazardous employment. He was assured by the state department, when he was employed there, that his service in the security office would not involve the use of firearms.

Norpel, married, with two teen-age daughters, seemed assured of a long and comfortable career when he was suddenly embroiled in the Otepka case in June, 1963. He supported his chief's testimony about loose security practices when summoned before the Senate subcommittee.

Ousted from Office

Like Otepka, Norpel was promptly ordered out of his office, deprived of access to his files, put under surveillance, and shifted to routine duties.

* * *

The Sacramento Union

From an editorial
June 3, 1966

* * *

Otto Otepka was fired from his job as State Department security expert after digging into the record of William Weiland. The latter was the foreign service officer who kept information from his superiors on Fidel Castro's background.

Instead of getting thanks for uncovering such laxity, Otepka was relieved of his duties.

Weiland, however, fared much better. He was "cleared" of any wrongdoing and now has a plush foreign service job in Australia.

* * *

Mr. Hoover, I realize that because of your position you will probably not be able to answer my questions in any meaningful way but I'm writing this letter to get it off my mind.

What does a man do when he observes many of the people that he knows, doctors, ministers, professors, men of position, men of influence, acting like horses with blinders? In most cases, they write not one word of inquiry. They use not one minute of their time to investigate, to search out the truth. They conceal themselves in their

professions and have no time except for a period of relaxation every now and then.

So many good men. Eighteenth century writer Edmund Burke stated it ever so clearly when he wrote, "All that is required for the triumph of evil is that good men remain silent and do nothing."

The ministers, the doctors, the professors, all good men doing nothing as I have observed. All the preaching, teaching, and medicine in the world is not going to help me or my family if in the end this great Republic and the freedoms that go with it cease to exist because of these men and the thousands upon thousands like them who just set back and let the Otto Otepka's and the John Norpel's go down the drain.

CHICAGO TRIBUNE, MONDAY, JULY 19, 1965

Reveal Story of State Dept. Intrigue in Otto Otepka Case

The subcommittee's first release, to be followed in subsequent weeks by 25 or more volumes of testimony, was thus a logical prologue to what senators have called "the Otepka tragedy." When Otepka, in the performance of his duties, questioned Wieland's integrity and suitability, he was marked for punishment.



Otto F. Otepka

Wieland, the transcript revealed, insisted that he had met Castro only once during the Cuban leader's visit to Washington in 1959 to address a newspaper editors' convention. This was a casual meeting at a formal luncheon, he said.

Met Castro Six Times

Otepka investigated and found that Wieland had met Castro at least six times during this period. At least two of the meetings were of a clandestine nature. Altho the motivation for these meetings was not divulged, Wieland's denial of more than one meeting took on significance.

The Wieland file, a huge collection of material filling 10 volumes, was taken away from the security chief. It went "upstairs."

One month after reporting the Wieland-Castro meetings to the subcommittee, Otepka was served with notice that he would be discharged for conduct unbecoming a state department officer. He appealed the ruling, thus preventing his removal from the payroll.

To 40,000 state department employees, the moral was obvious. The state department would protect its own against serious charges if they proved themselves loyal to the department when it was under investigation by Congress. On the other hand, cooperation with a congressional committee was "unbecoming conduct" meriting dismissal.

Harry M. Hite, a state department security officer who had issued findings against Wieland even stronger than those drafted by Otepka, summed up his feelings at one point in the questioning.

Hite has since been transferred out of the office of security. Almost all the officers who sided with Otepka after his dismissal have been transferred or removed.]

Did Secretary Rusk clear Wieland? Sen. Roman L. Hruska [R., Neb.] tried to find out from Rusk at a secret session and Rusk said he would have to look at the record. Rusk never gave the subcommittee any more information.

The subcommittee eventually was supplied with a statement by Crockett that "Secretary Rusk did not sign the Wieland clearance . . . granted by the office of security on Feb. 2, 1955."

Since Rusk had been asked about clearances for Wieland in 1961 and 1962, not 1955, the statement, the subcommittee noted, was "not responsive."

Powerful Silent Friends

The finger then seemed to point at Roger Jones, deputy undersecretary of state, who followed up President Kennedy's statement with a public assertion that Wieland is not "a security risk, a loyalty risk, a suitability risk, or any other kind of a risk."

At the times Jones spoke, the Wieland case was still under investigation and final clearance was not approved until 30 months later.

The subcommittee was left to wonder why no state department official wanted to accept the responsibility of the Wieland clearance.

Mr. J. Edgar Hoover

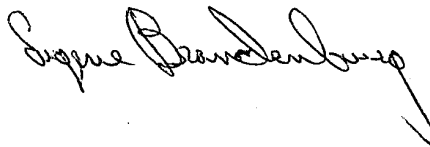
-5-

November 17, 1966

"All that is required for the triumph of evil is that good men remain silent and do nothing." I couldn't in a life time say it better than that.

I am hoping, Mr. Hoover, that you will answer this letter and comment in some way about these events. Until the silent good men of my town and this nation break their silence the left-wing element in our government will continue to tear down the safeguards of this Constitutional Republic. I shall be hopefully waiting for an answer to this letter and I thank you for your time.

Very respectfully,

A handwritten signature in cursive script, appearing to read "Eugene Brandenburg". The signature is written in dark ink and is positioned above the typed name.

Mr. E. R. Brandenburg

2786 - 24th Street

Sacramento, California 95818

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: February 28, 1967

BS:LJaffe:bjm
146-7-16-693

FROM : Barefoot Sanders
Assistant Attorney General
Civil Division

SUBJECT: Otto F. Otepka case

Under date of February 21, 1967 you were asked to run a name check or otherwise survey your records to ascertain whether any of the persons named John Lewis who had signed nominating petitions in New York City between 1940-1943 could be identified with the John Lewis who is now serving as a hearing examiner with the Federal Trade Commission, and whose services had been made available to the State Department by the Civil Service Commission to act as hearing officer in the removal proceedings against Otto F. Otepka.

Under date of February 24, 1967, Mr. Otepka's counsel, Roger Robb, formally notified the State Department that John Lewis was not acceptable to Mr. Otepka or his counsel as a hearing officer. Under these circumstances, the inquiry which I requested is no longer necessary for the purposes for which I required it. Accordingly, you may consider my request of February 21, 1967 withdrawn and you need not report to me the results of any inquiry you may pursue in this matter.

EX-102

REC 26

65-68266-84

MAR 1 1967

62 MAR 9 1967

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2/24/67

Airtel

REC-9

65-68266-85

TO: SAC, New York

FROM: Director, FBI

OTTO F. OTEPKA
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)

ATT. SAC TURYN

Re Department letter 2/21/67, copy furnished your office
by routing slip 2/24/67.

Relet indicates that a John Lewis signed Communist
Party (CP) nominating petitions during early 1940's from various
New York addresses. These included 1470 East New York Avenue,
Brooklyn, on 9/29/40; 4210 Third Avenue, Brooklyn, during
September, 1941; 800 East 105th Street, Bronx, on 6/30/42; and
1 St. Nicholas Terrace, New York, on 8/9/43.

Department has requested to be advised whether the afore-
mentioned John Lewis is identical with Hearing Examiner John M.
Lewis of the Federal Trade Commission (FTC) who from 1/39 to
8/41 resided at Walton Avenue and 174th Street, Bronx; from 8/41
to 2/42 at 102nd Street and Broadway, New York; and from 2/42
to 8/47 at 195 Bennett Avenue, New York. Information concerning
the signing of CP nominating petitions by John Lewis, mentioned
above, originated with State Department. Bureau endeavoring
through liaison to ascertain State's source.

Review files, check logical established sources, review
appropriate city directories and conduct any other reviews deemed
advisable in an effort to determine whether the John Lewis of the
FTC is identical with the person who signed the petitions. Do not

MAILED 80
FEB 27 1967
COMM-FBI

Tolson _____
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62 MAR 9 1967

MAIL ROOM ☒ TELETYPE UNIT ☐

Airtel to SAC, New York
RE: OTTO F. CTEPKA

conduct any active investigation or interviews with other than
logical established sources. Sutel results. Department has
requested priority be assigned this request.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

DATE: FEB 21 1967

FROM : Barefoot Sanders
Assistant Attorney General
Civil Division

BS:LJaffe:bjm

146-7-16-693

SUBJECT: Otto F. Otepka case

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

Otto F. Otepka has pending against him removal charges from his employment as a Security Officer with the State Department. The Department of Justice has designated an attorney to represent the State Department in the presentation of these charges. At the request of the State Department, the Civil Service Commission has made available a hearing examiner from the Federal Trade Commission, Mr. John Lewis, to serve as hearing officer.

In the course of a routine check made by the State Department, it was developed that on September 29, 1940, a John Lewis of 1470 East New York Avenue, Brooklyn, New York, signed a Communist Party nominating petition. Similar petitions were signed in September 1941 by a John Lewis of 4210 Third Avenue, Brooklyn, New York; on June 30, 1942, by a John Lewis of 800 East 105th Street, Bronx, New York, and on August 9, 1943, by a John Lewis of One St. Nicholas Terrace, New York, New York.

Hearing examiner John Lewis of the Federal Trade Commission resided at Walton Avenue and 174th Street, Bronx, New York, from January 1939 to August 1941, and 102d Street and Broadway, New York, New York, from August 1941 to February 1942, and 195 Bennett Avenue, New York, New York, from February 1942 to August 1947. He was first employed by the Federal Government in the Department of Labor in May, 1943 and has been a federal employee ever since that time.

It will be appreciated if you could run a name check or otherwise survey your records to ascertain whether you have any information on any of the persons named John Lewis who signed the Communist Party petitions mentioned above. It will be particularly helpful if your records show, and if you can advise me of the respective dates of birth of the persons who signed the Communist Party petitions, and the last current address you may have for each of them. It will also be

1d
Airtel NY
2-24-67
JFW:ma

SAC Tamm
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EX-113

65-15266-85

MAR 1 1967

NAT SEC
WAKS

COPY MADE FOR MR. TOLSON

EXP. PROC. 38
FEB 21 1967

appreciated if priority can be assigned to this request because it is important to ascertain whether there is or is not any identity between the Federal Trade Commission hearing examiner and any of the signatories to the Communist Party petitions before any hearing begins in the Otepka case.

If any further information is necessary, please communicate with Irving Jaffe of my staff, Room 3607, extension 3310.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CNW

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. D. J. Brennan, Jr. *DB*

DATE: 6/30/67 *WCS/jm*

FROM : W. J. McDonnell *WJM*

SUBJECT: OTTO F. OTEPKA
CHIEF, SECURITY EVALUATIONS DIVISION,
STATE DEPARTMENT
INFORMATION CONCERNING

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
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Conrad _____
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Tavel _____
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Tele. Room _____
Holmes _____
Gandy _____

my [redacted] Special Assistant for Liaison, Office of Security, State Department, advised Liaison on 6/30/67 that the ouster proceedings instituted by State Department against Otepka were concluded on the evening of 6/29/67. The State Department Hearing Officer instructed State Department counsel and Otepka's counsel to submit briefs on this matter no later than 8/31/67. Thereafter, a decision will be made on the basis of testimony submitted and the briefs. *J. Brennan*

[redacted] advised that only three witnesses testified in the recent hearing; namely, Otto F. Otepka, Chief, Security Evaluations Division, State Department; J. G. (Jay) Sourwine, Counsel, Senate Internal Security Subcommittee; and John F. Reilly, former Deputy Assistant Secretary for Security, State Department. *66*

ACTION:

This memorandum is being referred to the Employees Security and Special Inquiry Section.

- 1 - Mr. W. V. Cleveland
- 1 - Liaison
- 1 - Mr. McDonnell

WJM:rab
(4) *rab fli*

65-68266

REC 54

65-68266-86

EX. 101

18 AUG 9 1967

News Clipping
ENCLOSURE

51 AUG 14 1967

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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CMM

Otepka Hearings Ended, Decision Expected in Fall

By the Associated Press

Hearings on Otto F. Otepka's appeal against his dismissal from the State Department were concluded unexpectedly Thursday evening, Irving Jaffe, the government's counsel, said yesterday.

John F. Reilly, former deputy assistant secretary for security and superior of Otepka, chief security evaluator of the State Department, was the last witness to testify before Edward A. Dragon, the hearings officer. Jaffe said Otepka's counsel, Roger Robb, had no more witnesses to call.

Both Jaffe, a Justice Department lawyer, and Robb, a Washington attorney, will submit briefs to Dragon and the drafting of these papers will absorb "the better part of this summer," Jaffe said.

As Dragon must study the briefs before forming his final opinion, the expectation is that he will file his report for Secretary of State Dean Rusk in September at the earliest.

Otepka was dismissed in September 1963 on charges of giving information and documents to counsel for the Senate Internal Security subcommittee, without proper authorization.

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Tele. Room _____
Holmes _____
Gandy _____

Cliff Boring

E. J. [Signature]

The Washington Post

Times Herald _____

The Washington Daily News _____

The Evening Star (Washington) **179**

The Sunday Star (Washington) _____

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

The New York Times _____

World Journal Tribune _____

(New York) _____

The Sun (Baltimore) _____

The Worker _____

The New Leader _____

The Wall Street Journal _____

The National Observer _____

People's World _____

Date **7/1/67**

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7-20-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H5054-H5057. Congressman Nelson, (R) Minnesota, placed in the Record articles from the Government Employees Exchange newspaper regarding the Otto Otepka case. Mr. Nelson stated "it seems clear the conduct of the State Department represents outrageous treatment of a career civil servant and is either incompetent or dishonest administration of the personnel program at the State Department." This newspaper comments on the testimony of John F. Reilly, former State Department Deputy Under Secretary of State for Security. It states "As The Exchange was informed on June 20 and reported to its readers in its June 26 issue, the decision as to whether Mr. Reilly would appear at the Otepka hearings was the subject of concern to top officials of the State Department and The White House. - - - The prime concern of The White House was to prevent the revival of the 'bitter dispute which erupted in early 1967 between Senator Robert Kennedy and FBI Director J. Edgar Hoover over assigning responsibility for 'illegal wiretapping and bugging' carried out during the Kennedy administration. The Exchange had reported on June 23."

Original filed in

65-68266-

NOT RECORDED

87 AUG 2 1967

384
In the original of a memorandum captioned and dated as above, the Congressional Record for 1967/9-67 was reviewed and pertinent items were brought to the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

ORIGINAL FILED IN 65-68266-3117

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-12-2011 BY 60324UCBAW/SB/CNW

Memorandum

TO : The Director

DATE: June 23, 1967

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H7865-H7866. Congressman Ashbrook, (R) Ohio, spoke regarding the State Department hearings concerning Otto Otepka and stated "This matter long ago was removed from the realm of an internal Department matter and placed into the context of national security, the right of the American people to know the facts concerning public figures, the question of loyalty of Government employees and use of unprincipled tactics by Government departments in attempts to cover over their own misdoings. - - - The circumstances which surround the Otepka case cannot go unchallenged." Mr. Ashbrook included in the Record an article from the June 24th issue of Human Events entitled "The Secret Otepka Hearings."

Page A3201. Congressman Thomson, (R) Wisconsin, spoke concerning the hearings involving Otto Otepka and placed in the Record a resolution adopted by the Committee on Foreign Relations of the American Legion. The resolution states "The American Legion deplores the treatment which Mr. Otto F. Otepka has received at the hands of his superiors - - - and commends the action of the Senate Internal Security Subcommittee in its thorough investigation of the Otepka case."

Pages A3231-A3232. Congressman Roudsbusch, (R) Indiana, advised that "the strange case of Otto Otepka has aroused interest in the Nation's press and the following editorial from the Chicago Tribune, June 13, 1967, will be of interest to the Members of Congress." The editorial entitled "Where O-T-E-P-K-A Spells 'Secrecy' is included with his remarks.

65-68266-

NOT RECORDED

47 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for June 22, 1967 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate case or subject matter files.

55 JUL 17 1967

Original filed in: 66-1791-

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-13-2011 BY 60324UCBAW/SB/CMM

TO : The Director

DATE:

6-22-67

5/10
SF

FROM : N. P. Callahan

SUBJECT: The Congressional Record

refer 81

Original filed in: 66-1731-3101

Page B3163. Congressman McClure, (R) Idaho, stated "Otto Otepka is finally getting a hearing on the charges leveled against him by the State Department. Because of the continuing interest in this matter by many Members of Congress, I call to my colleagues' attention an excellent analysis of the Otepka case by the Richmond News Leader of June 8. The editorial entitled "Another Round for Otepka" is set forth in the Record."

65-68266

NOT RECORDED

184 JUN 29 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-21-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

79 JUL 12 1967

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE:

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H7444-H7445. Congressman Ashbrook, (R) Ohio, spoke concerning the case of Otto Otepka, the chief of the Division of Evaluation of the State Department's Office of Security, whose case is now being tried behind closed doors at the State Department. - - - Recently, 13 of the 13 charges against Otepka were dropped, some of which charged him with the mutilation of documents, thereby violating a Federal statute. The mutilation

charges were dropped, according to the Government Employees' Exchange, for fear that Otepka knew the names of the actual mutilators, would divulge their names at the hearing, and these persons, in turn, have indicated that they would give the names of 'top' persons who had ordered the mutilation and planting of documents in Otepka's barn bag. Mr. Ashbrook included an article written by Cary G. Corleach entitled "This Week in Washington: Man in the Middle" which appeared in the June 13 issue of the National Observer.

65-68266
NOT RECORDED
199 JUN 27 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

54 JUL 3 1967

ORIGINAL FILED IN

66-731-3098

7A 8-1

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-12-2011 BY 60324UCBAW/SB/CMW

TO : The Director

DATE: 6-2-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H4511-H4512. Congressman Gross, (R) Iowa, placed in the Record an article from the May 31 issue of Government Employees' Exchange dealing with the State Department's handling of the case of Mr. Otto Otepka, former security officer in the State Department. Mr. Gross stated "If there is any justification for secret personnel hearings it is to protect the individual employee, and not to protect the bureaucracy or the bureaucrats. In this instance the whole idea is perverted. Secrecy is being used to bar Otepka from getting his full story before the public, and to protect the State Department hierarchy from embarrassment. The inaction of the Civil Service Commission is shocking. It is an abdication to the political expediency of the State Department."

65-68266-
NOT RECORDED
87 JUN 21 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-1-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

54 JUN 30 1967

11 1731-3094

ALL INFORMATION CONTAINED
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DATE 05-12-2011 BY 60324UCBAW/SB/CNW

1-20-72
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Casper ☐
Callahan ☐
Conrad ☐
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Sullivan ☒
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

UPI-22

(OTEPKA)

WASHINGTON--THE ON AGAIN, OFF AGAIN STATE DEPARTMENT HEARING ON THE CELEBRATED SECURITY CASE OF OTTO F. STEPKA IS FINALLY GOING TO BEGIN WITHIN A FEW DAYS, OFFICIALS SAID TODAY.

THE DEPARTMENT AND OTEPKA HAVE AGREED ON A HEARING EXAMINER, THEY SAID, AND HE IS TO MEET WITH LAWYERS FOR BOTH SIDES TOMORROW MORNING TO SET A DEFINITE HEARING DATE.

AT ISSUE IS A MORE THAN THREE-YEAR-OLD ORDER BY SECRETARY RUSK FIRING OTEPKA FROM HIS JOB AS CHIEF OF THE DIVISION OF EVALUATIONS IN THE DEPARTMENT'S OFFICE OF SECURITY.

5/11--GE955A

OTTO OTEPKA

REC'D

65-68266-A-

NOT RECORDED

MAY 15 1967

54 MAY 19 1967

WASHINGTON CAPITAL NEWS SERVICE

DECLASSIFIED-DIRECTOR

1 - DeLoach
1 - Mr. Mohr
1 - Mr. Wick
1 - Mr. Gale
1 - Mr. McAndrews
1 - Mr. McHale

December 30, 1966

65-68266-

Honorable H. R. Gross
House of Representatives
Washington, D. C. 20515

My dear Congressman:

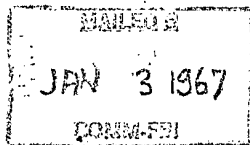
I have received your letter of December 23, 1966, and would like to express my appreciation for your thoughtful comments.

Your desire to protect the public interest in the current controversy regarding wiretaps and microphones is quite understandable. Because we in the FBI firmly believe in letting the facts speak for themselves, I was most happy to comply with your original request for the facts in this case.

Rest assured that I will keep you advised of any pertinent developments in the future.

Sincerely yours,

J. Edgar Hoover



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Holmes _____

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(8)

62 MAR 10 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

ORIGINAL FILED IN 65-5845-1526

R. GROSS

3d DIST., IOWA

HOUSE OFFICE BUILDING

COMMITTEES:

FOREIGN AFFAIRS

POST OFFICE AND CIVIL SERVICE

Congress of the United States
House of Representatives
 Washington, D.C.

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Wick	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

December 28,

Mr. J. Edgar Hoover
 Director
 Federal Bureau of Investigation
 Washington, D. C.

Dear Mr. Hoover:

Thank you for your prompt response to my letter of December 5, 1966, in which I asked for any documentation you might have in connection with Federal Bureau of Investigation use of wiretaps and microphones on the authority of the Attorney General of the United States.

Your letter makes it completely clear that former Attorney General Robert F. Kennedy was fully aware of the surveillance that was practiced during his administration of the Department of Justice.

Incidentally, I call your attention to the fact that there was wiretapping and eavesdropping during the Kennedy administration that had no connection with the operation of the FBI, but apparently did have the approval of the highest political appointees of the Kennedy administration. I refer to the wiretapping and eavesdropping in connection with the efforts to oust Mr. Otto Otepka from employment in the State Department.

In this case there was no question of national security or crime, organized or unorganized. The fact that this was either approved or condoned in early 1963 by the Kennedy administration would seem to give further support to your statements. 65-68266

NOT RECORDED

Please keep me advised of any further documentation you may be constrained to make public in connection with the controversy involving former Attorney General Robert F. Kennedy. My interest in this matter today, as it was initially, is to see to it that the public is

11 DEC 29 1966

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EXP. PROC. 33 DEC 29 1966 ORIGINAL FILED IN

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 JEM/rom
 12/30/66
 DIV. 9

Mr. J. Edgar Hoover

-Page Two-

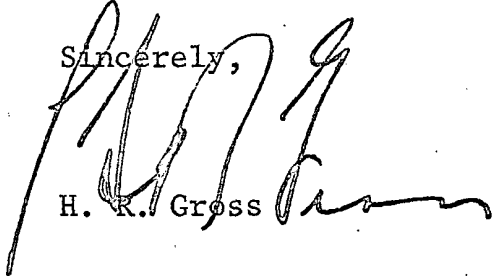
December 28, 1966

provided with the truth, free from the distortions that some people use in apparent efforts to discredit the Federal Bureau of Investigation.

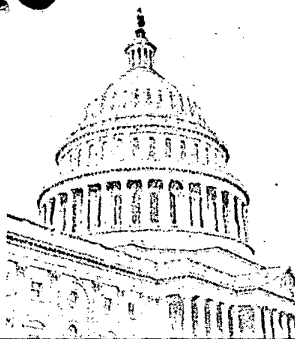
In view of the documentation you have already provided in your letter and attachments, I am convinced that whatever surveillance of communications the FBI has conducted has been with either specific or general policy approval of the Department of Justice.

Your long and honorable directorship of the Bureau cannot be assailed on the basis of the self-serving and in some instances inaccurate denials and statements that have been made.

Sincerely,


H. R. Gross

HRG/d



STROM THURMOND

TO THE PEOPLE

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CMW

Major Committee Posts

Armed Services

Judiciary

Appropriations (Defense)

Republican Campaign

Armed Services Subcommittees

Preparedness Investigating

Central Intelligence

NATO Status of Forces

Military Construction

Judiciary Subcommittees

Internal Security

Immigration-Naturalization

Constitutional Rights

Juvenile Delinquency

Adm. Practice & Procedure

Constitutional Amendments

Criminal Laws & Procedure

VOL. XIII, NO. 40

OTEPKA AND ROSTOW

OCTOBER 16, 1967

A brief just filed before a State Department hearing officer for Otto Otepka reveals that this career State Department security officer first ran into trouble in 1960 when he expressed reservations about a proposed clearance for Walt Whitman Rostow. Twice before, under the Eisenhower Administration, Rostow had been denied a State Department clearance to handle sensitive data, and Otepka indicated to Dean Rusk and Attorney General Designate Robert Kennedy that he would probably still evaluate Rostow's file in the same manner.

This episode had a decidedly different effect on the careers of the two principals involved. Rostow was given immediate clearance as a White House aide, where the only security criterion is the President's say-so; he moved under this clearance to the State Department Policy Planning Council, and is now, ironically, Special Assistant to the President for National Security Affairs. Otepka became the victim of a scheme which involved perjury, wire tapping, and character assassination, in an effort to remove him from his important post. Security procedures spelled out in law and regulation virtually collapsed, as "emergency clearances" and high-level say-so approvals superseded objective review. In the brief filed before the hearing examiner, Otepka is fighting not only to get his job back, but also to keep American defense secrets from the enemy.

There are those today who hold that the concept of security clearances

States from the world just three British traitors. Facts never made public before show that the Soviet Union had more access to our secrets in both World War II and the Korean War than previously realized.

It is now revealed that the Soviet master spy, Harold Philby, easily infiltrated the highest levels of British intelligence before he defected to the Soviet Union. A life-long dedicated Communist, Philby posed as a British patriot to become the head of the Soviet bureau of the British intelligence office. In reality, Philby was spying for the Soviet Union. Later he became the trusted liaison between British intelligence and the U.S. Central Intelligence Agency --- thus putting himself in a position to give the Communists knowledge about all the general operations of both major Western intelligence operations.

Philby's role was not revealed even when he tipped off Guy Burgess and Donald MacLean, enabling them to flee to the Soviet Union. Later on he voluntarily left Britain and went to the Soviet Union himself. Although officials here and abroad had passed off MacLean's work as non-sensitive, the British newspapers now reveal that a secret 1956 State Department report made it clear that MacLean was the primary channel for Soviet espionage during the Korean War.

MacLean was first Secretary in the British Embassy in Washington, and later head of the American Department of the Foreign Office in London. MacLean had full knowledge of the fateful American decision to confine the fighting to Korea itself, and to permit Red sanctuaries above the Yalu River. General MacArthur complained bitterly that this hobbling decision, and all his strategic troop movements, were known immediately by the enemy.

Lax security by the British thus was one important factor that led to the indecisive stalemate in Korea. Moreover, our failure to win the war in Korea is the chief reason why we are being forced to fight the Communists again in Vietnam.

The British experience illustrates that strict security practices must be kept up continuously. It is not necessary to assume that a person denied a security clearance is disloyal. As long as human beings handle sensitive secrets, the element of risk is always a factor. Nevertheless, that risk increases in direct proportion as known elements of risk are ignored. The granting of a security clearance to anyone without a full field investigation is contrary to sound and accepted practices and is a conscious flouting of the Nation's security. Otto Otepka has laid his entire career on the block in a courageous effort to make America understand that

Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

October 18, 1967

Hon. J. Edgar Hoover, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C. 20535

Dear Mr. Hoover:

You will undoubtedly have to have your secretary or the like "pull" my file in order to have you recognize who I am.

I have, through the years, had correspondence with you on occasion; and in May of 1963 (the 20th) I had the privilege and great pleasure of meeting you in your office as the result of my having breakfast across the table from Mr. DeLoach, who represented you at the Capitol when you and I (among others) were honored to receive the George Washington Honor Medal from the Freedoms Foundation.

Having said the above I trust I place myself in the category of being an American who is deeply interested in our country, and its future.

I understand that you are a good friend of President Johnson. Of this I am greatly appreciative for you have always been an idol of mine, and that you "break bread" with President Johnson is a plus for the President as well as the United States.

The reason for this letter is that I am greatly troubled by the Otto Otepka matter. From all I have read, Mr. Otepka is a man all Americans could well emulate. The treatment he is receiving, however, to me seems unfair, blind and harsh. It is horrifying. It appears that he has been relieved of his position which he seemed to have done faithfully and well. The fact he was dismissed speaks poorly of those who protect the security of our country in these continuing perilous time. The fact he has not been reinstated is tragic.

It is beyond me how the President can give Mr. Rostow his personal clearance and thus put him in a position of worth as far as security matters are concerned.

It does not seem that Mr. Otepka is a "nut" or "witch hunter". It does appear that Mr. Johnson, on a personal friendship, has overlooked the background of Mr. Rostow and placed him in a critical position securitywise and allowed Mr. Otepka to be thrown to the dogs because a friend of the Administration was made to appear suspect.

I imagine this is a difficult letter for you to reply to — but I am sincerely troubled about this matter — the injustice and the questionable security.

Capt. & Mrs. Randolph Myers, Jr.
901 Waynewood Boulevard
Alexandria, Virginia 22308

NOT RECORDED
18 OCT 19 1967 191 OCT 26 1967

CORRESPONDENCE

Director Hoover

- 2 -

October 18, 1967

God bless you always.

I always regretted I didn't have the courage to ask Mr. DeLoach if I could have my picture taken during our meeting. It would have been a treasure not only for me but for my children. I felt it vain and thus left it unspoken... unhappily.

Sincerely,

Mari E. Myers

(Mrs.) Mari E. Myers
901 Waynewood Boulevard
Alexandria, Virginia 22308

I respect you greatly & feel badly that this letter wasn't typed with more skill. My apologies.

*I respect you greatly & feel badly
that this letter wasn't typed with
more skill. My apologies.*

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10-11-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 314386-314387. Senator Miller, (R) Iowa, placed in the Record an article from the Des Moines Register of October 4 entitled "Claims State Department Confused Sex Scandals--Ciepa Cites 18 Cases of Major Laxity--Takes Progressive Attitude on Security" written by Clark Mollenhoff. Mr. Miller advised that the article points out that in the brief filed in behalf of Mr. Ciepa by his attorney Mr. Robb, there is brought out the fact that there were 18 cases of major laxity in the State Department so far as security clearances are concerned. Mr. Miller stated "It is fortunate that there are public servants such as Mr. Otto Ciepa who are willing to run the risk of abuse and personal hardship for the sake of the security of our country, but it is unfortunate, and worthy of condemnation, that it was necessary for him to do so."

OTTO CIEPA

Original filed in: 66-1731 3170

65-68766-

NOT RECORDED

29 OCT 24 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 10/10-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that

portions of a copy of the original memorandum may be clipped, mounted, and placed in the appropriate file or subject matter files.

53 OCT 26 1967

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-29-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record
fct

(2) Page 813841. Senator Braska, (R) Nebraska, stated "this week another page in the history of Otto Otepka will be written as briefs are filed in the appeal from his discharge as a State Department security officer. Perhaps now, after almost four and a half years, Otto Otepka will be exonerated. - - - Otto Otepka's fate also has been etched into the minds of State Department security officers and those who will follow them. How many will be guided by loyalty to their country, and how many will be guided by the heavy-handed whims of their

department superiors? It will take exceptional courage for these security experts to oppose their superiors, even in cases of clear danger to the Nation. It is here that America will pay most heavily for what has happened to Otto Otepka." Mr. Braska included an editorial from the Omaha World-Herald of September 26 entitled "A Black Mark" pointing out that it is an excellent summary and appraisal of this entire episode.

65-68266-

NOT RECORDED

133 OCT 10 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 9-28-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

54 OCT 12 1967

Original filed in: 66-1731-3157

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
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DATE 05-12-2011 BY 60324UCBAW/SB/CMW

TO : The Director

DATE: 8/28/67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H11357-H11360. Congressman Ashbrook, (R) Ohio, commented on the case of Otto Otepka, State Department employee. He stated I have personally, and on numerous occasions, called for full disclosure of the facts of the Otepka case by the State Department and most recently for the State Department's hearings to be opened and the transcript made available to the public. I reaffirm this request. As far as is known the facts of this case and the similar case of Stephen A. Koczak, indicate that the State Department would rather maintain its personal security, than the national security; - - - - . The latest development is contained in an article from the Government Employees Exchange, the one paper which has consistently championed men like Otepka and Koczak who seek their day in court against the massed power of the Department of State. This article indicates that Mr. Otepka has decided to appeal to the Civil Service Commission, regardless of the outcome of the State Department hearing. The article from the Exchange is set forth in the Record. Mr. Ashbrook also spoke concerning the necessity to obey the law and included an address entitled "Patriotic and Religious Responsibilities as a Citizen" delivered by former Judge Clarence J. Crossland, of the common pleas court of Muskingum County, Ohio, on August 13, 1967.

Original filed in:

65-68266-

NOT RECORDED

87 SEP 14 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-25-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

57 SEP 21 1967

ORIGINAL FILED IN

66-1731-3141

E. E. FARROW CO.
CONTRACTORS

CARPENTER FREE
AT LOOP 12

November 16, 1967

BOX 20198
DALLAS, TEXAS 75226
BLACKBURN 4-9105

Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

The Honorable Lyndon B. Johnson
President of the United States
Capitol Building
Washington, D. C.

RE: OTTO STEPKA
STATE DEPARTMENT

Dear President Johnson:

I have just finished reading the enclosed article, "Stepka Draws Closer to Showdown With Rush", which was written by Ray McHugh of the Coploy News Service. If all of the allegations in this article are true, this demands, in my opinion, a thorough investigation.

Mr. President, I feel that you are the one to initiate this investigation in the interests of our country. I am a strong believer in loyalty to our Department heads, but I feel a deeper loyalty to my country. Indeed, I think every employee of our government should place their loyalty to our country above all department heads or anything else--and I know you feel the same way.

If you agree with me, I am sure that you will take immediate action to investigate such an investigation that will result in this matter being cleared up, as it should be!

I am sending a copy of this letter to all parties listed below, who should be interested in receiving same.

Respectfully yours,

REC-75

E. E. Farrow

65-68266-88

EEF:cc

Enclosure

cc: The Honorable Dean Rusk, Secretary of State

Senator John Tower, Armed Services Committee

Congressman Joe A. Pool, House Committee on Un-American Activities

Senator Richard D. Russell, Chairman, Armed Services Committee

Senator Sam J. Ervin, Armed Services Committee

Representative L. Mendel Rivers, Chairman, Armed Services Committee

Rep. Edwin E. Willis, Chairman, House Committee on Un-American Activities

Rep. Otto E. Teague, Chairman, House Committee on Veterans' Affairs

ENCLOSURE

EEF

copy to Mr. [unclear] [unclear]

CORRESPONDENCE

59 NOV 27 1967

1967 NOV 20 1967

Thursday, November 16, 1967 The Dallas Morning News

Otepka Draws Closer to Showdown With Rusk

By RAY McHUGH
Copley News Service

WASHINGTON — Otto Otepka is drawing closer to his long-sought showdown with Secretary of State Dean Rusk.

After four years of frustration, ostracism and what he calls intimidation, the onetime top security evaluator of the State Department sticks to the principle that "my loyalty to the United States comes before my loyalty to the department."

That was the argument that got the Illinois-born son of an immigrant Moravian blacksmith into trouble in the first place.

He finds himself "persona non grata" in an organization that once cited him for meritorious achievement. He finds himself regulated to a "paper-clipping" job when he was once described by Secretary of State John Foster Dulles as "the best security man in Washington."

Otepka, 50, testified before the Senate internal security subcommittee in 1963 that the State Department was clearing possible security risks despite warnings from the evaluation staff.

HIS SUPERIORS, notably John F. Reilly, deputy assistant secretary of state (now a Federal Communications Commission trial lawyer), denied Otepka's charge.

To substantiate the charge and protect himself against possible perjury action, Otepka sent the subcommittee a series of classified State Department documents—thus violating department regulations. The documents supported Otepka, but they did not protect him.

"I broke the rule of the 'club,'" said Otepka in an interview. "I spoke out against fellow members of the State Department."

He could be a member of the "club." Otepka looks more like a diplomat than a diplomat's policeman. His neat dark suit, striped tie, carefully combed black hair and, highly shined shoes contribute to a handsome appearance.

FOR FOUR YEARS the veteran security officer, brought into the department by Dulles, has struggled to protect a career that began in 1946. In 1957 he was named the department's top security evaluator and in 1958 he received a meritorious service award.

First accused of espionage after the Senate hearings, Otepka was cleared in an investigation by the Federal Bureau of Investigation. The State Department then fired him for "conduct unbecoming an officer of the Department of State."

Otepka appealed. He was entitled to hearings. The last has just been completed. The original set of 13 charges has been

whittled to three—all involving unauthorized use of classified documents.

The hearing officer's report must go to Rusk by Dec. 5.

There is no time limit on the secretary's decision, although powerful political factors are involved.

The secretary has repeatedly argued if he does not dismiss Otepka he risks a demoralized department. Such use of classified material on Capitol Hill could jeopardize U.S. policy, he says, but before his death the late President Kennedy reportedly was cool to the idea of ousting a man simply because he told the truth to a Senate subcommittee.

THE OTEPKA CASE was cited several times by Republicans during the 1964 presidential campaign, but it never became a major issue. President Johnson, however, faces a much more difficult contest in 1968 and he is not likely to relish a new security sensation.

If Rusk rules against Otepka,

there will be an explosion of criticism in Congress.

Few people in Washington are neutral on the Otepka case. He is regarded by some as the victim of a huge, unfeeling backlash should share some of the discomfort.

Otepka claims that security safeguards in the State Department began to crumble late in 1960 as reorganization began for the Kennedy administration.

His hearing brief, according to published reports, described an evening meeting in December of 1960 between himself, Rusk and Robert Kennedy at which he was asked what procedures he was using to evaluate the new president's appointments to the State Department. The meeting allegedly was called at the request of Robert Kennedy.

Otepka is said to have replied that he was bound by law to follow specific regulations that included a full field investigation and certification.

IN THE INTERVIEW, Otepka confirmed published reports that a pending appointment of

65-68266-88

ENCLOSURE

"OTEPKA DRAWS CLOSER TO SHOWDOWN WITH RUSK"

PAGE 2, CONTINUED. (Dallas Times Herald, November 16, 1967)

Walt Whitman Rostow to the State Department was discussed by Rusk and Kennedy.

Otepka said he expressed reservations about the appointment because Rostow was twice denied clearance during the Eisenhower administration.

"On those grounds," he said, "I told them I could not recommend clearance without a complete reexamination."

Rostow later was appointed to a White House post and transferred to the State Department. The department accepts White House clearance.

Rostow says he was never denied clearance. He claims that since 1951 he has had continuous security clearance from various federal agencies.

Otepka said his defense brief cited the Rostow case only as an example of pressures he was subjected to. He said similar pressures were brought to bear in other cases, including that of William Wieland, head of the Caribbean desk during the rise of Premier Fidel Castro in Cuba.

OTEPKA IN 1961 recom-

mended that the department consider dismissing Wieland. The recommendation was rejected and Wieland now is consul general of the U.S. Embassy in Canberra, Australia.

The Wieland case, Otepka said, "made me a target."

He was demoted late in 1961 in a reorganization and reduction of the security staff. He said this signaled the start of harassing tactics—his telephone was tapped, his waste baskets were rifled and his safe was entered.

When in early 1963 he told the Senate internal security subcommittee of the wiretapping, Reilly and Elmer D. Hill, an electronics specialist, denied the charge. When the subcommittee announced it had proof Otepka's phone was tapped in violation of State Department regulations, the men admitted they had listened to some conversations.

The subcommittee denounced the department and said it was "chasing the policeman instead of the culprit."

Despite this victory, Otepka

was losing at the State Department.

On June 27, 1963, he and two top security assistants were ordered to new assignments.

"THEY RAIDED my office," Otepka said. "They hauled away the safes and file cabinets and exiled him to a cubbyhole."

Otepka was ordered to "update" a security handbook and to "index" the Congressional Record. He tossed the handbook job back to his superiors when they refused to give him access to classified material that he claims was essential if any meaningful new guidelines

were to be written for security evaluators.

Now Otepka has only the mundane task of reading the Congressional Record. For this he is paid \$20,483 a year. He has had two routine salary increases since his exile began.

Otepka said his battle against dismissal has cost \$23,000. His wife has gone back to teaching to help meet the legal costs and to help put their daughters through college, he said.

"If Mr. Rusk rules against me," Otepka said, "it's going to cost me twice as much, but I'm going to fight this to the end. It's a matter of principle."

November

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-12-2011 BY 60324UCBAW/SB/CNW

Honorable Fred M. Vinson Jr.
Assistant Attorney General
Criminal Division
United States Department of Justice
Washington, D. C.

Dear Mr. Vinson:

Thank you for your letter of November 20, 1967, in which you state that no evidence has been presented your office that a violation of federal law occurred with respect to the telephone of Mr. Otto F. Stepka.

I am completely aware that a violation of the federal wiretap law did in fact take place. Following, I present concrete evidence of the above fact and am requesting in view of this evidence that your office direct the appropriate federal agencies to conduct investigations which will establish the identities of those directly and/or indirectly responsible for this flagrant violation of the law, to include the proper prosecution of those identified. I should also like to remind you that the dispensation of Justice in this country must not and cannot be meted out in varying degrees according to anyone's station in life, political or otherwise. You are charged with the investigation of any possible violation of federal statutes and the due and proper protection of myself and other citizens. Any violation of the lawfully acknowledged privacy of a telephone, particularly a telephone over which matters of governmental security are in consideration, must and will require the most vigorous pursuit of prosecution. I expect nothing less than the laws of this country being enforced.

The following establishes without doubt that a violation of the federal wiretap law did in fact take place:

EXHIBIT 1) Extract of testimony of Joseph E. Rosetti, page 80, Hearings before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, June 19, 1963:

Mr. Sourwine: You said the (State) Department does not condone tapping telephones?

Mr. Rosetti: That is right.

Mr. Sourwine: Wouldn't the Office of Security have the right to order this done if they were suspicious of an employee?

Mr. Rosetti: No, just because of the law.

Mr. Sourwine: Why not?

Mr. Rosetti: Sir?

Mr. Sourwine: Because we would not be within the law, you are not supposed to make any wiretaps.

Mr. Sourwine: So there is a law against it?

Mr. Rosetti: Yes, sir. I don't know the statute.

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

EXP. PROC.

NOV 29 1967

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file
65-68266
(Ott. F. Stepka)

Mr. Sourwine: Even within the agency?

Mr. Rosetti: Yes.

Mr. Sourwine: Within the Government?

Mr. Rosetti: Even in the Government, there is a law against it.

Mr. Sourwine: And by that law you abide?

Mr. Rosetti: We abide.

(Exhibit 1 is included here merely to emphasize that the intent of the law is clearly understood by supervisory personnel within the Department of State.)

EXHIBIT 2) Extract from letter by John F. Reilly, November 6, 1963, page 92, Ibid.

"On March 18...I asked Mr. Elmer D. Hill, Chief of the Division of Technical Services, to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office."

"On March 19, Mr. Hill told me that he and Mr. Clarence J. Schneider had discussed the means by which conversations in Mr. Otepka's office might be intercepted and had conducted a feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Divisions of Technical Services Laboratory. Mr. Hill told me that the system attempted had not proven successful when he and Mr. Schneider had tested it..." (Underscore added.)

"...on March 20, I directed Mr. Hill and Mr. Schneider to disconnect the telephone wires which they had connected. Later that evening Mr. Hill complied with my directions while Mr. Schneider and I remained in the corridor outside Mr. Otepka's office."

EXHIBIT 3) Extract of testimony of George James Pasquale, pages 96 and 97, September 10, 1963, Ibid.

Mr. Sourwine: To put it in short words, you are saying that Schneider had done an inefficient job, and made some kind of mistake or mistakes, as a result of which there were audible noises occasionally over the telephone which Otepka could notice to indicate it was in fact bugged.

Mr. Pasquale: That's correct.

Mr. Pasquale: Mr. Schneider, assistant to Mr. Hill, went down to Stan Holden's office and he said: 'Stan, I want some advice. How would you bug a telephone, what way would you do it?'

Mr. Sourwine: Holden told you then that Schneider had secured help outside the State Department for the purpose of rectifying his error in putting a good workable bug on Otepka's phone?

Mr. Pasquale: That's correct.

EXHIBIT 4) Extract of testimony of Stanley E. Holden, pages 106 and 107, December 10, 1963, Ibid.

Mr. Holden: If the wiring is clandestinely altered in such a way as to make the instrument useful or one or both of the microphones useful, or some foreign element placed in the telephone that would make it useful as a listening device, we would consider it a compromised.

Mr. Sourwine: I tell you the committee was told by Mr. Hill that Mr. Otepka's telephone had been modified by changing a wire so as to make the receiver portion of the handset and open microphone...

Mr. Sourwine: But as I recall it, the tapping of Mr. Otepka's phone which has been admitted took place in March.

EXHIBIT 5) Extract of testimony of Joseph E. Rosatti, pages 124 and 125, July 23, 1964, Ibid.

Mr. Sourwine: ...I state for your information that it is commonly understood that this statute (47 U.S.C. 605) makes it an offense to disclose such information, this information so obtained, but that the statute does not make it an offense to obtain it...

Mr. Rosatti: ...I think Senator Dodd submitted a letter to the Secretary of State setting forth some facts that Mr. Otepka's phone had been tapped and that you had positive proof to this nature...

In summary of the above, and other relevant information found in testimony within the above hearings, or by questioning the named persons again, it can readily be established that the telephone of Mr. Otto F. Otepka was compromised.

EXHIBIT 6) Extract from testimony of Elmer Davey Hill, November 18, 1963, pages 88-92, Ibid.

Mr. Hill: How many different conversations were recorded?

Mr. Hill: Oh, I would say a dozen, perhaps more.

Mr. Sourwine: What was done with those recordings?

Mr. Hill: Well, I believe that either I or Mr. Schneider gave the recordings to another individual.

Mr. Sourwine: Why did you give these recordings to someone who was a stranger?

Mr. Hill: Mr. Reilly's request.

Mr. Sourwine: Had he heard them?

(4)

November 24, 1967

Mr. Hill: ...I do know of one incident that he referred to, one telephone conversation. I do not know how this knowledge came to him, whether he listened to the recording or it was reported to him by another person who listened to the recording, but there was one telephone conversation which did seem interesting to him.

Mr. Sourwine: He knew about at least one conversation?

Mr. Hill: Yes.

Mr. Sourwine: Let me get at it this way: Did you tell Mr. Reilly about that particular conversation?

Mr. Hill: I believe I may have mentioned to him that there did not seem to be anything very interesting to him on this tape. However, there was one conversation that might be.

Mr. Sourwine: Did you then tell him what it was?

Mr. Hill: Yes sir; I believe I did.

Mr. Sourwine: You identified it to Mr. Reilly without divulging its contents?

Mr. Hill: Yes Sir.

Mr. Sourwine: ...If this was divulged to Mr. Reilly it can be divulged here; if it was identified to him without being divulged, certainly, we could so identify it here and we also have the testimony of Mr. Hill that the tape was given to some other individual whom he does not know and does not even know whether he was connected with the State Department or not.

Senator Dodd: That could be a divulgence.

If there is no prosecution in the above cited tapping of a telephone in violation of 47 U.S.C. 605 since the above evidence has now been brought to your attention, and I might remark that I fail to see how it could have escaped your attention when thousands of the American public have had access to the same information, then essentially your inaction would permit me to engage in something hypothetical as follows, without fear of breaking the law:

Suppose for example, a friend of mine wanted to know just what was going on in the office of Fred M. Vinson Jr. This friend instructed me to bug Mr. Vinson's telephone, make recordings of conversations from that telephone, and turn the recordings over to him. Suppose further that I had done exactly that and later met my friend for lunch at which time we discussed the significance, not the contents of the recordings. By way of identifying which recording we were talking about, I remarked; "I think you will be interested in the recording of Mr. Vinson's conversation with Mr. J. Edgar Hoover." My friend agrees, he is interested in that particular recording over any other I have supplied him. Up to this point of course, I have not "divulged" anything, therefore am not in violation of the Federal wiretap law. (To carry it one step further, this principle could then allow the manufacture of 100 other copies of the recordings and I could send them to 100 other friends whom I think would be interested in conversations between Mr. Vinson and Mr. Hoover, correct?)

(5)

Honorable Fred M. Vinson

-5-

November 24, 1967

I am wondering also if the foregoing hypothetical situation would allow a small extension of the principle to include not only providing friends with the recordings of the conversations between Mr. Vinson and Mr. Hoover, but would as well include the provision of copies of the recordings to strangers as well?

I am desirous of knowing two things, Mr. Vinson. The first being whether or not, in view of the fact that your letter of November 20 indicated that "No evidence has been presented to this office indicating any violation of 47 U.S.C. 605 with respect to the incident referred to by you," your office will now begin an investigation or direct that such shall be done, and if so when I may expect an answer to your determination as to the outcome of such investigation?

Additionally, I would appreciate your views on the application of 47 U.S.C. 605 to my hypothetical situation described above as I have always been interested in the workings of law enforcement agencies, as are many of my friends, thus your determination would guide me should any of my friends impose upon me to bug your phone, which of course I would never do if this were a violation of the law.

Your prompt reply will be highly appreciated.

With continued highest regards,

Sincerely,

James M. Stewart
James M. Stewart

cc/ Senator James O. Eastland
Senator Strom Thurmond
Congressman H. R. Gross
✓ Mr. J. Edgar Hoover

391 N. WA LNOT
WOOD DALL ILL

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

FROM : N. P. Callahan

DATE: 12-8-67

SUBJECT: The Congressional Record

Pages H16484-H16485. Congressman Ashbrook, (R) Ohio, spoke concerning the case of Otto Ctepka and stated "To date, an inquiry has been sent to State regarding the justification of classifying the lengthy transcript of the Ctepka hearings. An answer is still to be received. In addition, an exchange of letters with the Justice Department has not as yet clarified the matter of possible perjury charges against two former State Department officials. Mr. Ashbrook advised that one of the charges brought against Ctepka was the mutilation of documents. Mr. Ashbrook went on to state "At the outset of the hearings, these charges were dropped, leaving the identity of the actual perpetrators a mystery. Also in need of clarification is the matter of the destruction of potential evidence, the two reels of Ctepka's taped conversation, which were requested for introduction into the hearings by Ctepka's lawyer. I am accordingly writing to the Secretary of State for additional information on these issues." Mr. Ashbrook's letter to Dean Rusk is set forth in the Record.

Original filed in: 100-1731-13200

65-68266-
NOT RECORDED

46 DEC 20 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 12-7-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate subject matter files.

54 DEC 28 1967

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 12-11-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page 51218. Congressman Curtis, (R) Missouri, spoke concerning the case of ~~Officer~~ ~~Alpha~~, State Department official accused of improperly giving information to congressional committees. He stated "The shocking details about the way this case has been handled, and particularly about the way the people's 'right to know' was thwarted in its handling, are set forth in a report published by the Advancement of Freedom of Information Committee of Sigma Delta Chi, professional journalistic society." Mr. Curtis placed a portion of this report in the Record.

Original filed in: 66-4731-3212

65-68266-

NOT RECORDED
29 DEC 22 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 12-8-67 - was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that a copy of the original memorandum may be clipped, mounted, and placed in appropriate case or subject matter files.

54 DEC 28 1967

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 12-12-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H16628, H16630. Congressman Gross, (R) Iowa, spoke concerning the case of Otto Otepka and stated "The secrecy imposed upon the hearing was arbitrary and without justification. It was what we would expect of a Nazi gestapo or the Kremlin. ----It is a sorry day for Congress and for this Nation when secret hearings before a handpicked selected hearing officer can be used to persecute a man for simply cooperating with Congress in matters involving national security. If the State Department can get by with this outrageous act then no witness can feel free to testify before committees of Congress." Mr. Gross included in the Record an article written by Clark R. Mollenhoff entitled "Finds Otepka Guilty, Case Goes to Rusk" which appeared in the Des Moines Register of December 8, 1967.

Page H16647. Congressman Ashbrook, (R) Ohio, spoke concerning the case of Otto Otepka and advised that the most recent development has been the forwarding to Dean Rusk of the hearing examiners findings. He included with his remarks an article from the Des Moines Register entitled "Finds Otepka Guilty, Case Goes to Rusk" by Clark Mollenhoff.

65-68266-
NOT RECORDED
799 DEC 22 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 12-11-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau file or subject matter files.

54 JAN 4 1968

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HEREIN IS UNCLASSIFIED

DATE 05-12-2011 BY 60324UCBAW/SB/CMW

UNITED STATES GOVERNMENT

Memorandum

DeLoach ☒
Mohr ☒
Bishop ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

TO : Mr. DeLoach

DATE: January 4, 1968

FROM : T. E. Bishop

SUBJECT: STATE DEPARTMENT SECURITY - 1963-65
PART 1
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

For record purposes, attached is a proposed press release to be issued by the Senate Internal Security Subcommittee (SISS) January 7, 1968, releasing the first part of a four-part report on State Department Security between 1963 and 1965. The report is critical of many aspects of the Department's procedures and the performance of various officials. A joint statement of individual views by Senators Eastland and Dodd indicates this report reveals many mistakes in management and in the lack of supervision or control of powers exercised by officials in some management levels. A copy of the report is also attached.

RECOMMENDATION:

None. For information.

Enclosures (2)

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short*
- 1 - Mrs. Lorraine Whalen, 722 9th and D*
- 1 - Mr. Jones*

TEB:dse
(7)

65-68286 JAN 9 1968
NOT RECORDED
199 JAN 10 1968

*Additional copies of the report will be furnished upon receipt from the SISS.

ORIGINAL FILED IN

57 FEB 21 1968

UNITED STATES GOVERNMENT

for
Memorandum

TO : The Director

DATE: 12-15-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

(3) Pages H17948-H17964. Congressman Ashbrook, (R) Ohio, spoke concerning the Otto Otepka case. Mr. Ashbrook stated "It is not my intention at this point to comment on aspects of the case. Rather, I believe it is advisable to let Mr. Otepka make his own defense as it was presented in his brief to the State Department hearing officer. It seems only fair that if the State Department can overlook the above examples of 'conduct unbecoming an officer of the Department of State' while penalizing Otepka on highly controversial grounds, then at least Otepka's side should be heard." He included Mr. Otepka's brief with his remarks. This brief contained miscellaneous references to the FBI.

Original filed in: 66-1731-3219

65-68266-

NOV 20 1967

15 JAN 10 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 12-14-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

97 JAN 12 1968

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE:

12-18-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

(2) Page 31925. Senator Williams, (R) Delaware, placed in the Record an editorial from the December 12 issue of the Chicago Tribune entitled "The State Department Disgraces Itself." Mr. Williams advised that the editorial calls attention to the arrogant manner in which the State Department has tried to punish Mr. Otis for telling the truth to a congressional committee. He went on to state "I hope that at the next session of the Congress Mr. Otis's status as a Government official will be reinstated by congressional action. Mr. Otis was a Government employee who put his duty to his country above his duty to his superior, and he should be commended rather than reprimanded."

Original filed in: 66-1731-3218

65-68266-
NOT RECORDED
103 JAN 9 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 12-15-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 1-31-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H340-H341. Congressman Ashbrook, (R) Ohio, made reference to a letter he had sent the State Department concerning the mutilation of documents in the Otto Glopka case "a charge which had been brought against Glopka but which was subsequently dropped. I specifically asked who was responsible for the mutilation of the documents and whether the case had been referred to the Justice Department for prosecution under section 2371 of title 18, United States Code, the statute which State accused Glopka of violating." He placed in the Record the answer he received from the State Department. This letter stated "As you know, Mr. Glopka was charged with having violated a 1948 Presidential Order concerning personnel security matters which provides as follows: 'The efficient and just administration of the Employee Loyalty Program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records, and files relative to the program be preserved in strict confidence. - - - - For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigation and other investigative agencies of the Executive branch are to be regarded as confidential, - - - -' Mr. Ashbrook went on to state "This is, of course, a typical State Department brushoff. - - - - Meanwhile back at State, they can expect further inquiries and publicity regarding the possible violation of Federal law in mutilating the documents."

In the original of a memorandum captioned and dated as above, the Congressional Record for 1-30-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

79 FEB 16 1968

65-68266-
NOT RECORDED

87 FEB 9 1968

ORIGINAL FILED IN 65-1731-32-18

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: January 8, 1968

FROM : T. E. Bishop

SUBJECT: STATE DEPARTMENT SECURITY -- 1963-65
PARTS II AND III
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

[Handwritten initials]
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

For record purposes, attached is one copy each of two proposed press releases to be issued by the Senate Internal Security Subcommittee on 1/9/68 and 1/11/68 on State Department Security, Parts II and III. The hearings were held by the Subcommittee from 1963 through 1965. The releases indicate that the Subcommittee's reports on these hearings contain detailed presentations of State Department activities directed against Otto F. Otepka. One copy each of the hearings is also attached.

RECOMMENDATION:

For record purposes.

4- ENCLOSURE
Enclosures (4)

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short*
- 1 - Mrs. Lorraine Whalen, 722-9th & D*
- 1 - Mr. Jones*

TEB:dse
(7)

*Additional copies of the hearings will be furnished upon receipt from the SISS.

2 ENCLOSURE

65-68266-
NOT RECORDED
199 FEB 7 1968

1 FEB 6 1968

57 FEB 21 1968

CRIME RESEARCH

ORIGINAL FILED IN 62-59749-3440

90th Congress }
1st Session }

COMMITTEE PRINT

STATE DEPARTMENT SECURITY—1963-65

PART II

HOLD FOR RELEASE

TUE JAN 9

PM

REPORT

OF THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

DECEMBER 15, 1967



Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON

65-860

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 35 cents

65- 68 266 -

90th Congress }
1st Session }

COMMITTEE PRINT

STATE DEPARTMENT SECURITY—1963-65

PART III

REPORT

OF THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

DECEMBER 15, 1967



HOLD FOR RELEASE
THU JAN 11 1968 AM

Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

65-860

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65-68266 -

UNITED STATES GOVERNMENT

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HEREIN IS UNCLASSIFIED
DATE 05-13-2011 BY 60324UCBAW/SB/CMW

Memorandum

TO : Mr. DeLoach

DATE: January 8, 1968

FROM : T. E. Bishop

SUBJECT: STATE DEPARTMENT SECURITY--1963-65
PART IV
SENATE INTERNAL SECURITY SUBCOMMITTEE (SISS)

Conner _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Rosen _____
Sullivan _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

For record purposes, attached is a proposed press release to be issued by the Senate Internal Security Subcommittee (SISS) on January 14, 1968, on State Department Security. Also attached is a copy of Part IV of the Subcommittee's report on hearings held during 1963-65 on above-captioned subject. The release indicates that when the State Department struck at Otto F. Otepka, its top security evaluator, for giving frank testimony to the SISS, the blow also hit six of his associates who supported his policy of strict adherence to the security laws. It was planned that when Otepka was cut down, his so-called supporters almost immediately were given orders assigning them into new fields--away from Otepka.

RECOMMENDATION:

ENCLOSURE

For record purposes.

Enclosures (2)

"ENCLOSURE ATTACHED"

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Short*
- 1 - Mrs. Whalen, 722 9th & D*
- 1 - Mr. Jones

TEB:dse
(7)

1 FEB 6 1968

*Additional copies of the report will be furnished upon receipt from the SISS.

ENCLOSURE

NOT RECORDED
199 FEB 7 1968

57 FEB 21 1968

CRIME RESEARCH

ORIGINAL FILED IN 612

Place up of Otepka and
memo in
65-68266

65-68266 -

90th Congress }
1st Session }

COMMITTEE PRINT

STATE DEPARTMENT SECURITY—1963-65

PART IV

R E P O R T

OF THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

DECEMBER 15, 1967



Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

65-860

WASHINGTON : 1967

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 1-17-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Otto Otepka

Page 1238. Congressman Gross, (R) Iowa, spoke concerning the Otepka case and the handling of this case by Secretary of State Dean Rusk. Mr. Gross made reference to the tapping of Otepka's office telephone and stated "In connection with the wiretapping and eavesdropping, three employees of the State Department, Deputy Assistant Secretary John F. Reilly, David Belisle, Reilly's assistant, and Elmer D. Hill, an electronics technician, lied under oath when called to testify before the subcommittee in connection with the Otepka case. Yet the Justice Department has declined to prosecute these perjurers, and Secretary Rusk, although well aware of the conduct of these employees, permitted them to resign, although using every device at his command to drive Otepka from the service and destroy him." Mr. Gross included with his remarks the responses given by Secretary Rusk at a recent press conference to questions asked by Clark Mollenhoff, reporter for Cowles publications.

Original filed in: 60-1731-3240

REC-15

EX-110

105-68266-90
NOT RECORDED

46 MAR 7 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 1-16-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 11/24/67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

0
Ott's Otepka

Pages H15797-H15803. Congressman Ashbrook, (R) Ohio, spoke concerning security practices in the State Department. He stated "Because some of the outrageous abuses that have been perpetrated at State over the last few years have not received adequate attention or publicity, I think it is advisable to comment on the situation and offer possible recommendations. The unparalleled successes of Soviet espionage over the years should have resulted in a highly refined security system at State, but recent experiences indicate that coverups of security violations and purges of qualified security personnel have provided a possible fertile field for Communist penetration." He set forth information on the Philby-Burgess-Maclean case as an example and during these comments stated "With recent disclosures in the British press there can remain little doubt as to who was responsible for the intelligence leak in Washington which so benefited the Chinese Reds. Philby arrived in Washington as British liaison to the FBI and CIA and in November 1950, Maclean came to Washington as head of the Foreign Office's American department." Mr. Ashbrook referred to hearings held by the Senate Internal Security Subcommittee regarding security at the State Department and stated "Had it not been for the persistent

efforts of this body, and Otepka's refusal to make a 'deal' with State, much of the information now made public would have gone uncovered. - - - - A number of months before the subcommittee had completed its hearings, Senator James Eastland introduced S. 3388 which was designed to correct a number of security problems at the State Department which were revealed during the hearings. - - - - Here are the nine provisions of the legislation: - - - - Fourth. Require that a copy of any document transmitted to the State Department by the FBI or CIA and marked for the attention of the Secretary, must be transmitted immediately and directly to the Secretary's office, flagged for his personal attention."

65-68266-
NOT RECORDED

In the original of a memorandum captioned and dated as above, the Congressional Record for 11/24/67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

57 DEC 13 1967

ORIGINAL FILED IN 66-1731-3205

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 11-14-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H15131-H15135. Congressman Gross, (D) Iowa, stated
"for the benefit of Members of the Congress, I am inserting at this point in
the Record a partial and excellent report of the Advancement of Freedom of
Information Committee of Sigma Delta Chi, honorary journalism fraternity."

This report makes reference to the case of Otto Otapha, a State Department
official accused of divulging information and states "A study of this entire case
makes it obvious that the State Department was misusing a claim of national
security for purposes of hiding or obscuring the record. When Otapha
gave testimony and produced records proving that superiors had lied under oath,
the superiors used unauthorized eavesdropping and wiretapping as well as other
police state methods to try to obtain grounds for firing Otapha."

165-68266-
NOT RECORDED
199 NOV

In the original of memorandum captioned and dated as above, the Congressional
Record for 11-28-67 was reviewed and pertinent items were
marked for the Director's attention. This form has been prepared in order that
portions of a copy of the original memorandum may be clipped, mounted, and placed
in appropriate Bureau case or subject matter files.

Original filed in:
ORIGINAL FILE

66-1731-3192

By 8-1

UNITED STATES

AGENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-11-2011 BY 60324UCBAW/SB/CMW

TO : The Director

DATE: 6-14-67.

FROM : N. P. Callahan

SUBJECT: The Congressional Record

NI
ST

65-68266

NOT RECORDED
184 JUN 27 1967

original filed in: 66-1731-3100

Pages H7144-H7145. Congressman Ashbrook, (R) Ohio, pointed out that as most of us know, the controversial case of the State Department versus Otto Otopka, which is now being heard in secret hearings, has been a national issue since 1963. Involved, basically, is the right of an executive branch employee to give information to a congressional committee even though such information may prove embarrassing to the agency involved. A second issue in the case pertains to the right of a Federal employee to fair treatment in adversary proceedings within the Federal agency. Mr. Ashbrook advised that the hearings are being conducted in secret over Mr. Otopka's objections. He set forth background information on this case and stated "Fair and just treatment in the case of Otto Otopka must therefore be a prime and urgent concern of all." Congressman Curney, (R) Florida, joined Mr. Ashbrook in his remarks and added "I do not know whether Mr. Otopka has done the things the State Department accuses him of. I cannot prejudge, any more than the Department has a right to. But I do feel that Mr. Otopka should be granted the opportunity to be heard and judged fairly, and that the only way to assure this is by an open hearing where the State Department will not be able to cover up its activities and injustices to Federal employees."

In the original of a memorandum, the following was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

55 JUL 5 1967 71

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-16-2011 BY 60324UCBAW/SB/CMW

TO : The Director

DATE:

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages E1537-E1538. Senator Thurmond, (R) South Carolina, extended his remarks concerning the forced idleness of Harry M. Hite and Edwin A. Burkhardt, two State Department employees. He stated "Remarkable as these facts may appear, they are not surprising when one discovers that the two employees were associates of Mr. Otto Otepka, who has been the subject of a vindictive campaign against him by the Secretary of State because of his cooperation with the Senate Internal Security Subcommittee." He pointed out that Hite and Burkhardt testified in support of Otepka before the Senate Internal Security Subcommittee. Mr. Thurmond included an editorial entitled "Living in State" which appeared in the State newspaper of Columbia, South Carolina. Mr. Thurmond advised that "The interest in this case, as shown in this editorial, shows that my State, and all sections of the country are becoming aroused by the security scandal which exists in the State Department."

EX-101

REC-34

NOT RECORDED

145 MAR 20 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

57 APR 1 - 1968

ORIGINAL FILED IN 66-1731-3263

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. R. D. Cotter

DATE: 11/7/68

FROM : J. F. Wacks

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Enclosed is copy of remarks of Representative John M. Ashbrook, Ohio, as set forth in the Congressional Record of September 27, 1968, relating to the subject. Ashbrook puts on the record a letter he wrote to the Attorney General dated September 26, 1968, inquiring why perjury charges were not brought against John F. Reilly, [redacted] and [redacted] all state employees, who testified before the Senate Internal Subcommittee in 1963 against the subject.

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b7C

RECOMMENDATION:

That the enclosed be made part of Otepka file.

Enclosure

65-682

- 1 - Mr. R.D. Cotter
- 1 - Mr. J.F. Wacks

JFW:wmk
(3)

ENCLOSURE

REC 6

65-6826692

18 NOV 8 1968

E8284

CONGRESSIONAL RECORD — Extensions of Remarks September 27, 1968

JUSTICE DEPARTMENT COVER-UP

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1968

Mr. ASHBROOK. Mr. Speaker, it will be recalled that back in 1963 three State Department employees testified before the Senate Internal Security Subcommittee to the effect that they knew nothing, nor were a party to, the installation of a listening device in the office of Otto F. Otepka, the State Department security officer, whose case has since become a national issue. After testifying before the subcommittee, the three later sent a letter to the subcommittee acknowledging that their previous testimony had been untrue and misleading and they did, in fact, have knowledge of the installation of a device in Otepka's telephone.

Later the three officials again appeared before the subcommittee, and this time delivered the best examples of evasion, double-talk and misrepresentation rendered by supposedly responsible Government employees in a long time.

Since that time no attempt has been made by either the State Department or the Justice Department to prosecute these three on charges of possible perjury. In 1967 I asked the Justice Department how the case was coming, having seen a letter from the State Department stating that the transcript of the hearings had been sent to Justice for review and possible prosecution. Justice wrote back and stated that no transcript had been referred to them, and that the committee before which the testimony took place refers the case to Justice for possible action.

Next, Senator Strom Thurmond sent Justice the statements of the three State Department employees, pointing out in detail the inconsistencies in their testimony. Justice replied by saying that the committee would have to refer the charges.

On June 5, 1968, the subcommittee voted to ask Justice to review the testimony.

On September 18, the Government Employees Exchange printed the partial text of a letter from the Justice Department to another Senator explaining why the Justice Department was not going to push for prosecution. One of the reasons given was the 5-year lapse of time which might prove to be a violation of the constitutional right to a speedy trial.

The Justice Department, in mentioning the speedy trial aspect, cited the case of United States against Parrott. The summary of this particular case as it appears on page 196 of the Federal Supplement 248 reads:

The District Court, Gasch, J., held, *inter alia*, that indictment would be dismissed for failure to afford defendants a speedy trial under record including showing that delay of at least approximately 22 months between the date when criminal reference report was referred to United States Attorney and date of indictment was the result of inaction amounting to negligence in the U.S. Attorney's Office, that no adequate explanation

for that delay was given forthwith, and that defendants were prejudiced by the delay.

So the Justice Department is citing a case in which the U.S. Government was negligent in its duties to support their argument for taking no action. From what I can ascertain, it appears that the U.S. Government, through the Justice Department, has delayed this case 5 years and is now using this excuse to justify their action.

I have again written to the Justice Department asking for more particulars on their handling of the case. I include the text of my letter to Justice, along with their reply to me back in 1967, and the article, "Charges Against Reilly, Belisle, Hill Not To Be Pressed by Justice, Vinson Informs Clark," from the Government Employees Exchange of September 18, 1968, in the RECORD at this point:

SEPTEMBER 26, 1968.

HON. RAMSEY CLARK,
Attorney General of the United States, Washington, D.C.

DEAR MR. CLARK: This inquiry concerns the delay by the Justice Department in deciding not to prosecute the three State Department employees, Messrs. Reilly, Hill, and Belisle, which case was referred to your office by the Senate Internal Security Subcommittee on June 5 of this year.

On August 8, 1967, Assistant Secretary for Congressional Relations, William Macomber, Jr., responded as follows to an inquiry from another Congressional office:

"I have been informed that the transcript of the testimony given before the Senate Internal Security Subcommittee by Messrs. John F. Reilly and Elmer Hill has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses."

At a press conference on January 4, 1968, Secretary of State Dean Rusk was asked why no action had been taken in four years on the perjury charges. He replied, "I think this is a decision of the Department of Justice, based on the record."

On December 8, 1967, Assistant Attorney General Vinson replied to my query on the possible perjury charges:

"Having searched our files and discussed this matter with Mr. Macomber, I can advise you that his information is apparently in error. There has been no such referral of the transcript of the testimony of Messrs. Reilly and Hill to this Department for review and recommendation on possible perjury charges."

The record, referred to by Mr. Rusk above, indicates that the Senate Internal Security Subcommittee began its last series of hearings on State Department Security in February, 1963; they ended in May, 1965. Otto F. Otepka was the first witness, followed by a score of others, including Reilly, Belisle, and Hill. It is my understanding that, observing a long established practice, the Subcommittee dispatched a copy of the stenographic transcripts of each witness' testimony to the Justice Department through the F.B.I. Among the transcripts were the testimony of Hill on July 6, 1963; Belisle on July 29, 1963; and Reilly on August 6, 1963 when each denied any knowledge of the tapping of Mr. Otepka's phone.

The record also indicates that testimony by State Department witnesses before the Subcommittee showed that the Department of Justice began an investigation of Mr. Otepka in July, 1963, which was to continue for some time. F.B.I. agents who talked with Mr. Otepka in August, 1963, advised him that the investigation was being made.

not at the request of F.B.I. Agents J. Edgar Hoover, but at the behest of the Attorney General's Office. Any investigative case obtained, including the testimony of Reilly, Belisle, and Hill, was coordinated with and furnished to the Attorney General's offices and to the Internal Security Division.

In view of the deep involvement of the Justice Department in the Otepka case, I should appreciate knowing whether the Justice Department received copies of the testimony of Reilly, Belisle, and Hill as early as 1963.

In his letter of December 8, 1967, Mr. Vinson also stated:

"Instances of possible perjury before a committee of Congress are brought to the attention of the Department of Justice for review and prosecutive determination by direct referral from the Congressional committee before which the testimony was given."

In clarification of the above statement, I should like to know what statutory or other basis is there which requires the Justice Department to suspend prosecution on possible felonies until referral by a congressional committee?

This question is especially pertinent in view of Justice Department policy in 1964. According to his testimony before the Senate Internal Security Subcommittee, Mr. J. Walter Yeagley, Assistant Attorney General in charge of the Internal Security Division, Department of Justice, required no congressional referral before initiating action. On August 14, 1964, Mr. Yeagley was asked by Mr. J. G. Sourwine, counsel for the Subcommittee:

"Mr. SOURWINE. Do you remember the referral to the Department (of Justice) of the case of William Wieland for determination as to whether the Department desired to prosecute for perjury in connection with, or growing out of his testimony before this subcommittee?"

"Mr. YEAGLEY. I do not believe the Wieland case was formally referred to us for determination as to whether prosecution for perjury was feasible. His testimony, however, had been brought to our attention and we made an examination and arrived at a determination merely because we felt it was our responsibility to do so, but I do not recall a referral." (Subcommittee Hearings, State Department Security—1963—696, Part 1, p. 68) [Emphasis added.]

Mr. Yeagley's Internal Security Division derives its jurisdiction regarding perjury cases involving government employees from Section 13, E.O. 10450, which states:

"The Attorney General is requested to render to the heads of departments and agencies such advice as may be requisite to enable them to establish and maintain an appropriate government security program." (See U.S. Govt. Org. Manual, 1958-69, p. 222.)

This phase of my inquiry concerns the so-called "mutilation of documents" charges which were brought against Otto Otepka but which were dropped in June, 1967. An article in the Washington Post of June 7, 1967, written by George Lardner, Jr., stated:

"Irving Jaffe, Justice Department attorney representing State in the proceeding, said he moved for dismissal of the ten charges for varied, 'technical, legal reasons.'"

The article went on to say:

"Dismissal of the 'mutilation' charges, Jaffe declared, 'had nothing to do with (problems of) proof,' but he declined to elaborate." [Emphasis added.]

My third question, of course, is why Otepka was not prosecuted by the Justice Department for violation of 18 U.S.C. 2071, and what were the "technical, legal reasons" for dropping the charges if, as the Washington Post quotes Jaffe, a question of proof was not involved?

Your reply to these three specific questions, all possibly involving malfeasance on

ENCLOSURE

65-68266-92

The part of the Justice Department, will be approved.

Sincerely,

JOHN M. ASHBROOK,
Representative to Congress, 17th District.

DEPARTMENT OF JUSTICE,

Washington, D.C., December 8, 1967.

Hon. JOHN M. ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is in response to your letter of November 15, 1967, in which you quote from a letter of William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations, concerning testimony of Messrs. Reilly and Hill before the Senate Internal Securities Subcommittee.

Instances of possible perjury before a committee of Congress are brought to the attention of the Department of Justice for review and prosecutive determination by direct referral from the Congressional committee before which the testimony was given. Having searched our files and discussed this matter with Mr. Macomber, I can advise you that his information apparently is in error. There has been no such referral of the transcript of the testimony of Messrs. Reilly and Hill to this Department for review and recommendation on possible perjury charges.

Sincerely,

FRED M. VINSON, JR.
Assistant Attorney General.

[From Government Employees Exchange,
Sept. 18, 1968]

CHARGES AGAINST REILLY, BELISLE, HILL NOT
TO BE PRESSED BY JUSTICE, VINSON INFORMS
CLARK

In a response to an inquiry made by Senator Joseph Clark for a constituent in Upper Darby, Pennsylvania, Fred M. Vinson, Jr., Assistant Attorney General, indicated that the Department of Justice would not press perjury charges against John F. Reilly, David I. Belisle, and Elmer D. Hill growing out of their testimony before the Senate Internal Security Subcommittee in 1963.

The three men figure prominently in the Otto F. Otepka case. Senator Strom Thurmond by letter earlier this year had asked the Department to review the testimony given by the three men after it was disclosed that they had altered it at the hearings of the former top Security Evaluator at the Department of State. Mr. Otepka's appeal for reinstatement is now before the Civil Service Commission's Board of Appeals and Reviews. Mr. Thurmond's request was rejected at that time by Mr. Vinson on the contention that the Department couldn't act unless it was instructed to do so by a congressional committee. A resolution adopted by the Senate Subcommittee on Internal Security on June 5, this year, initiated the review.

Below appears a partial text of the August 21, 1968, letter addressed to Senator Clark by Mr. Vinson:

"Our examination of the record of the subcommittee's hearings, consisting of 1806 pages in twenty parts, indicated that testimony given by these individuals in July and August 1963 (Hill—July 9, 1963; Belisle—July 29, 1963; and Reilly—August 6, 1963) was substantially modified in later appearances before the committee in November 1963.

"Making the assumption that the earlier testimony was not truthful, we concluded that the matter did not merit presentation to a grand jury at this late date.

"The mere fact of contradictory statements under oath is not enough to establish perjury under the special rule applicable to perjury prosecutions. In view of the corrective testimony of the witnesses subsequent to their initial testimony, the case would have presented grave difficulties before a jury.

"Moreover, under the decisions of the District of Columbia Circuit where this prosecu-

tion would lie, prosecution might have already been impossible because of the lapse of time between the 1963 statements and the present time. The rule in that Circuit is that substantial delay may be a violation of the Constitutional right to a speedy trial even if the prosecution is brought within the period of limitations. United States v. Parrott, 242 F. Supp. 196 (1965).

Sincerely,

"FRED M. VINSON, JR.
Assistant Attorney General."

AMERICA'S INCREDIBLE ATTORNEY GENERAL

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 27, 1968

Mr. ROUDEBUSH. Mr. Speaker, my newsletter follows:

AMERICA'S INCREDIBLE ATTORNEY GENERAL

During his five years in office, LBJ has made some startling appointments, but the most bizarre of all has turned out to be Attorney General Ramsey Clark.

If there is one place in this country that we need a hard-nosed, no nonsense person it is in the Attorney General's office.

An effective, hard-hitting Attorney General could lead the anti-crime crusade in this nation and be a rallying point for our harassed and maligned police departments.

A tough Attorney General could also press the prosecution of those in organized crime, communist agitators who travel state to state stirring up riots, and those who break other Federal laws.

But, Clark has turned out to be super-soft on law enforcement and has actually denied there is a crime wave in this country.

And, incredibly, Clark seems more worried about "police violence" than the fact that in most cities in the United States it isn't safe on the street at night.

Clark testified recently here that "of all violence, police violence in excess of authority is the most dangerous. For who will protect the public when the police violate the law?"

Clark completely ignores the fact that violent crimes have increased 73% during the years since 1960.

And, while Clark sets up our police departments as the "bogymen" to watch out for, he even goes further in condemning American society as one "that celebrates the power of violence."

At the same hearing in which Clark delivered his attack on the American police departments, FBI Director J. Edgar Hoover stoutly defended our police, saying:

"The violence of the criminal, often cold-blooded and calculated, is especially felt by law-enforcement officers. Crime and violence are increasing primarily because there is a mass deterioration in the respect shown for the rule of law in our nation and for some who enforce it. Heightening the atmosphere of resentment of authority and irresponsibility to others in our society is an all-too-prevalent defiance of duly established laws and rules that is euphemistically termed 'civil disobedience.' The demagogic exhortations of a number of civil rights, peace, and student leaders have done much to encourage and condone lawlessness and civil disobedience."

I believe the American people will take the word of J. Edgar Hoover over LBJ's bleeding-heart Attorney General who worries more about the police, than the fact that our cities have been wracked by riots, crime is out of control and communist-incited riots and demonstrations have become common place.

When Clark made his incredible attack on the police, we checked a local Washington, D.C. newspaper that week, to find out how bad the police were "misbehaving."

We couldn't find any accounts of police brutality, but we did note that:

1. Mayor Walter E. Washington of Washington, D.C., was victimized by a burglar in his bedroom. The mayor chased him out, but lost \$70 and his wallet.

2. Two university coeds were approached by five thugs while walking near the Kennedy Center for the Performing Arts, in a fashionable neighborhood. One girl was slugged and robbed of \$20, the other was raped.

3. A gunman kidnaped and assaulted a 24-year-old nurse near Dupont Circle.

4. Five bandits robbed a Washington bank of about \$22,000 then traded shots with the manager of a neighboring store as they fled. From across the street, students at an elementary school lined classroom windows to watch the action.

5. In suburban Washington, two men took \$3,477 from a chain food store—but were wounded and captured in a gun battle with police.

This was a typical day in the nation's capital, where the United States Attorney General sits in his office and worries about "police violence."

A church within two blocks of the Capitol dome has had to close its doors during all hours but when services are in progress, because of vandalism and theft. At the same church, a woman was stabbed at the altar while praying.

LBJ should fire Ramsey Clark immediately and appoint someone that at least recognizes the problem.

THE CRISIS IN EASTERN EUROPE

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1968

Mr. BUCHANAN. Mr. Speaker, I join my colleagues, ably led by the distinguished gentleman from New Jersey, in discussing the steadily worsening situation in east-central Europe as a result of the Soviet occupation of Czechoslovakia and diplomatic and military threats against the German Federal Republic and the dissident Communist states of Rumania and Yugoslavia.

The tragic fate of Czechoslovakia remains permanently bleak in view of its occupation by more than 500,000 troops of the Soviet Union which cannot be counterbalanced by any passive resistance or tenacity on the part of the Government and the population. Step by step, the present leadership will probably be purged. Foreign Minister Hajek, Deputy Prime Minister Sik, and Interior Minister Pavel, for example, have already been removed. The collaborationists will thus accede to power helped by intrigues and the feeling of hopelessness that will slowly grip the peoples of that central European state. The tactics used in Hungary during and after the November 1956 period are being repeated in Prague with only small differences.

A state which has to accept foreign occupation troops on its territory obviously cannot exercise its full sovereignty. The Hungarian people certainly harbor no ill feelings against the Dubcek regime in Czechoslovakia. As a matter of fact the Dubcek regime was the first one which

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-16-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H7312-H7313. Congressman Gross, (R) Iowa, advised that he was inserting in the Record several newspaper articles which "tell the story of a series of amazing decisions in the State Department and by high officials of that Department in the attempt to fire Otto F. Otepka, Chief Security Evaluator." He pointed out that the Otepka hearing is presently being conducted in secret proceedings and stated "Simple justice to Otepka demands that the transcript of the hearings be made public. It also demands that the doors to the hearings be open so that the people of this country may have a day-to-day account of this outrageous affair. Simple justice also demands that the State Department provide Otepka with the recordings and transcripts of the illegally acquired recordings of his—Otepka's—telephone conversations. . . . This is particularly true at a time when the Johnson administration went so far out of its way to make records of wiretapping available to Bobby Baker, James Hoffa, and Fred E. Black, Jr. Otepka is fighting to save his job and the integrity of the whole Government personnel system is at stake in this case."

Pages A3050-A3051. Congressman Hall, (R) Missouri, extended his remarks concerning the Otepka case and stated "Open hearings are being precluded, but the truth will eventually come out. It has finally become apparent that the 'top dogs' have tried to smother this case, lost their own actions and instructions be disclosed. Time has overtaken events and proved the official position is a desire to bury, hide, and obscure the facts. A congressional investigation is indicated if the Attorney General does not act and due process is not afforded." He included an article from the June 14th issue of the Government Employees Exchange entitled "State, CS's Macy Attacked Over Otto Otepka Appeal."

65-68266

NOT RECORDED
145 JUN 23 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for JUNE 15, 1967 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

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64

NOV 19 1967

Mr. Fred M. Vinson, Jr.
Assistant Attorney General
Director, FBI

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Cotter
1 - Mr. Wacks

October 25, 1968

OTTO F. OTEPKA
ESPIONAGE - X

Reference is made to the letter dated October 22, 1968, from Assistant Attorney General Fred M. Vinson, Jr., Department reference FMV:JKH:km 51-16-796, captioned "John F. Reilly, [redacted] Perjury. Letter from Congressman John M. Ashbrook, September 26, 1968."

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The files of this Bureau reveal that the Department of Justice was giving active consideration to the prosecution of [redacted] Reilly and [redacted] for perjury during November, 1963.

On November 16, 1963, the then Deputy Attorney General Nicholas deB. Katzenbach telephonically advised C. A. Evans, at that time an Assistant Director of this Bureau, that at the time of his call a meeting was being held in the Secretary of State's Office as to further action to be taken by the Department of State concerning Reilly and [redacted].

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On November 17, 1963, Mr. Katzenbach again telephonically contacted Mr. Evans and related that there was no alternative but for the State Department to discharge Reilly and Hill as they obviously committed perjury before the Senate committee. Mr. Katzenbach stated that this action would be taken and that the State Department would refer to the Department of Justice the alleged perjury violations. Mr. Katzenbach pointed out these were criminal cases which the Department would be referring to the FBI for necessary investigation. However, neither Mr. Katzenbach, any other representative of the Department, nor any other source has referred this matter to the FBI for investigation.

REC 27

65-68266-93

Our action in this matter consisted of investigation to determine whether Otepka was in violation of the espionage and theft of Government property statutes. In this regard

65-68266

JFW:mea (10)

1 NOV 4 1968
see note, page 2

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Gale _____
Rosen _____
Sullivan _____
Tavel _____
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NOV 18 1968

MAIL ROOM

TELETYPE UNIT

Mr. Fred M. Vinson, Jr.

it is noted that Assistant Attorney General J. Walter Yeagley by letter dated March 18, 1964, advised that prosecution of Otepka for violating the espionage statute could not be successful since it was extremely doubtful that it could be proved that Otepka furnished the Subcommittee classified documents willfully. Mr. Yeagley also advised that evidence was not sufficient to show that Otepka willfully and unlawfully removed Government documents. We have conducted no other investigation in this matter, nor have we as indicated by Congressman Ashbrook furnished to the Department testimony of Reilly, [redacted]

b6
b7C

1 - Mr. J. Walter Yeagley
Assistant Attorney General

NOTE:

Otepka is the controversial State Department employee who while testifying before the Senate Internal Security Subcommittee (SISS) in 1963 furnished State Department documents to the Subcommittee. As a result he was severely admonished and removed from security work at State. We instituted espionage and theft of Government property investigation of Otepka at request of Department. Letter from Assistant Attorney General Vinson enclosed a letter from Congressman Ashbrook in which Ashbrook raised questions as to why Reilly, [redacted] and [redacted] all State employees, were not charged with perjury as a result of their testimony before the SISS in 1963. These three had furnished testimony against Otepka but later changed their stories. Ashbrook also indicated that the Bureau had furnished transcripts of testimonies of these three to the Department in 1963. We did receive in 1963 transcripts of Executive Session testimony of the three on a confidential basis from the Subcommittee which we returned to the Subcommittee after perusal. We did not, of course, in view of the confidential nature of our dealings with the Subcommittee disseminate these transcripts or any information in them to the Department or elsewhere. Vinson in his letter pointed out he was unable to find any 1963 Bureau reports relating to perjury on the part of the three and requested our comments regarding Ashbrook's letter. The conversation referred to between Katzenbach and former Assistant Director Evans set forth memo Evans to Belmont, 11/18/63 (attached). Memo noted that we would conduct appropriate

(note continued, page 3)

b6
b7C

Mr. Fred M. Vinson, Jr.

NOTE (CONTINUED)

perjury investigation upon receipt of request from Justice Department. No such request was received. We do not institute perjury investigations resulting from testimony before Congressional committees without specific request from Department.

of a letter from the Justice Department to another Senator explaining why the Justice Department was not going to push for prosecution. One of the reasons given was the 3-year lapse of time which might prove to be a violation of the constitutional right to a speedy trial. - - - From what I can ascertain, it appears that the U. S. Government, through the Justice Department, has delayed this case 3 years and is now using this excuse to justify their action.

Mr. Ashbrook included the item from the Government Employees Exchange, a letter he sent to the Justice Department on September 23, 1968, asking for more particulars on their handling of the case, and a reply he received from the Department in December 1967 in answer to a letter he had written at that time. Mr. Ashbrook, in his September 23, 1968, letter sets forth information regarding the testimony of the three State Department employees, John F. Reilly, David L. Bellisle, and Elmer D. Hill, before the Senate Internal Security Subcommittee. He stated it is my understanding that, observing a long established practice, the Subcommittee dispatched a copy of the stenographic transcripts of each witness' testimony to the Justice Department through the F. B. I. - - - The record also indicates that testimony by State Department witnesses before the Subcommittee showed that the Department of Justice began an investigation of Mr. Otopka in July, 1968, which was to continue for some time. F. B. I. agents who talked with Mr. Otopka in August, 1968, advised him that the investigation was being made, not at the request of F. B. I. Director J. Edgar Hoover, but at the behest of the Attorney General's Office. Any investigative data obtained, including the testimony of Reilly, Bellisle, and Hill, was coordinated with and furnished to the Attorney General's offices and to the Internal Security Division.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-30-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages E8384-E8385. Congressman Ashbrook, (R) Ohio, stated it will be recalled that back in 1963 three State Department employees testified before the Senate Internal Security Subcommittee to the effect that they knew nothing, nor were a party to, the installation of a listening device in the office of Otto F. Otopka, the State Department security officer, whose case has since become a national issue. After testifying before the subcommittee, the three later sent a letter to the subcommittee acknowledging that their previous testimony had been untrue and misleading and they did, in fact, have knowledge of the installation of a device in Otopka's telephone. - - - Since that time no attempt has been made by either the State Department or the Justice Department to prosecute these three on charges of possible perjury. - - - On September 18, the Government Employees Exchange printed the partial text

Original filed in: 66-1731-3384

65-68266
NOT RECORDED

46 OCT 14 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 9-27-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

51 OCT 24 1968

THE DIRECTOR

September 18, 1968

N. F. CALLAHAN

THE CONGRESSIONAL RECORD
SEPTEMBER 9, 1968

HOUSE

8-1
JNR
Otto Otepka

Pages H8414-H8423. Congressman Ashbrook, (R) Ohio, pointed out that Government employees attempting to advance in their service are often torn between two loyalties adding that "In many of the cases which have come to light in the past few years, employees who rest their future with the establishment rather than the best interests of their Nation have come out on top. The standard against which all other cases are being judged in the tragic circumstances of Otto Otepka. The latest reflection against this standard is that of William H. Brubeck. He included an article from the August 21st edition of the newspaper, the Government Employees' Exchange entitled 'Rusk Rewards Official For Leaking Secrets To Press.' Mr. Ashbrook advised that the article sets forth the contrast between the careers of Otepka and Brubeck. Mr. Ashbrook went on to state 'The facts surrounding the harassment of Mr. Otepka are well known and well documented. The facts surrounding Mr. Brubeck and his involvement with the Sprague committee report should be known; so should this man's incredible rise to the top of our country's Foreign Service.' Mr. Ashbrook also spoke on the American Civil Liberties Union (ACLU) pointing out that Barron's, the national business and financial weekly, is currently running a three-part series of articles on ACLU which is both exhaustive and highly informative. The articles are written by Shirley Scheffis. The first two articles of this series are set forth in this Record. Mr. Ashbrook comments on the views of the ACLU in connection with the banning from entry into the United States of an issue of the Crusader, the publication issued by Robert Williams the revolutionary who fled the United States.

- 1 - Mr. Tolson - enclosure
- 1 - Mr. Mohr - enclosure
- 1 - Mr. DeLoach - enclosure
- 1 - Mr. Bishop - enclosure
- 1 - Mr. Gale - enclosure
- 1 - Mr. Rosen - enclosure
- 1 - Mr. Sullivan - enclosure
- 1 - Mr. Malmfeldt - enclosure

65-68266

NOT RECORDED
199 SEP 18 1968

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56 SEP 27 1968
248

CONTINUED - OVER

Memorandum to the Director
Re: The Congressional Record

HOUSE - continued

in 1961 to escape a kidnapping charge and who turned up in Cuba, Red China, ... Mr. Ashbrook inserted the text of the Crusader newsletter for September-October, 1967, in the Record. Mrs. Scheibla states in the first article "Herbert A. Philbrick, who was a Communist for the FBI in the 'Forties, wrote in his book, I Led Three Lives: Communists had orders to infiltrate the ACLU. They always had kept a token representation in it and were told to strengthen their ties with it. ... (Per the Domestic Intelligence Division, Herbert A. Philbrick was an informant from 1943 to 1949.) Her second article pointed out that "So much for which liberties ACLU ignores. What about the record of causes it has favored? Here's one: ACLU obtained the permit for last fall's huge, violent, wholly unprecedented anti-war demonstration at the Pentagon. According to FBI Director J. Edgar Hoover, a number of Communists and other known subversives took part in that notorious fracas. In the midst of what Mr. Hoover called a 'scandalous display of obscenity and immoral behavior,' ACLU was speaking out in behalf of the rights of those who made the display. The Crusader newsletter sets forth instructions for the establishment of an Afro-American security agency. It states "This agency must be responsible for the establishment of an efficient and extensive intelligence network. It must infiltrate the armed forces, the National Guard, the police, the FBI, the CIA, public utility services and all political groups, right, center and left. The power structure's facilities must be utilized to advance the cause of Afro-American liberation."

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-19-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page E543. Congressman Ashbrook, (R) Ohio, extended his remarks concerning the mutilation of documents charge against Otto Otepka. He stated "The statute of limitations on this particular violation is 5 years, a period of time which has now expired." These charges against Otepka were dropped by State Department. Otepka denied the charges and asked the Civil Service Commission (CSC) to investigate the issue but CSC declined. Mr. Ashbrook went on to state "Why was the period of 5 years allowed to transpire without prosecution being brought against Otepka or whoever was guilty? Several months before State made its accusation of Otepka, agents of the FBI on orders from the Justice Department, had questioned Otepka and other State Department employees concerning the Otepka case. Therefore, the Justice Department was quite familiar with the case, and when State made its formal accusation against Otepka, why was he not tried for violation of a Federal statute? - - - - What has the Justice Department

been doing for the last 5 years? - - - - It is my understanding that Otto Otepka welcomes all discussion and investigation concerning any aspect of the issue. As far as he is concerned, his case will most certainly be prejudiced if all the facts are not brought to light. The case of the mutilation of documents is an excellent case in point."

65-168266
NOT RECORDED

106 JUN 27 400

XEROX
JUN 27 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-18-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

61 JUL - 3 1968

ORIGINAL FILED IN 65-168266-232

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-14-68

8-1

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Otto

Page E5418. Congressman Ashbrook, (R) Ohio, stated "many Members of both the House and the Senate are watching the Department of Justice for any sign of action against, or even in relation to, the often-quoted charges of perjury against three former State Department employees. It has been nearly 5 years—so nearly 5 years that the statute of limitations is about to run out—since these men gave false testimony before the Senate Internal Security Subcommittee." The persons referred to are David I. Belisle, John F. Reilly, and Elmer Dewey Hill all involved in the Otepka case. Mr. Ashbrook pointed out that the Justice Department had been advised concerning the testimony of these men. However, "there needed to be an 'order' issued by the Senate subcommittee before which the false testimony was given. This 'order' has now been given in the form of a resolution passed by the Senate Judiciary Committee and follows closely a request for action by Justice from committee member Strom Thurmond." He placed in the Record an article from the June 12 issue of the Government Employees' Exchange on this matter. He went on to state "It is at best odd that while the Department of Justice can jump thither and yon through its use of amicus curiae function, in the past 5 years it apparently has had neither the time nor the inclination to investigate the serious charges of perjury against three Federal employees."

ORIGINAL FILED IN 66-1731-8327

Misc
MCT-44

65-68266

NOT RECORDED
199 JUN 27 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 66-13-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

70 JUL 8 1968

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-5-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

OTTO OTEPKA

Page E3002. Congressman Ashbrook, (R) Ohio, extended his remarks concerning the issue of the mutilation of documents in the Otepka case. He stated "Briefly, the State Department accused Otepka of mutilating various documents which is a Federal offense under title 18, United States Code, section 2071. Otepka denied the charge and sought to have this issue aired before the Civil Service Commission with a view to exposing the actual perpetrators. - - - It is indeed ironic that the mutilation offense has been allowed to go unresolved for almost 5 years now. In fact, June 18 of this month, as I understand the case, will mark the end of 5 years, within which time the violators can be prosecuted. After this date, the 5-year statute of limitations will have expired and those responsible can no longer be tried. - - - From my acquaintance with the mutilation aspects of the Otepka case, all evidence points to a complete fraud on the part of State Department officials. The FBI was called in on the case in July 1963, and if the evidence pointed to Otepka as the offender, why were not charges referred to the Justice Department for prosecution? Why were these charges dropped just before the hearings got underway in late 1967, when Otepka would have an opportunity to question certain persons who were close to the case? Why is Otepka so anxious to fumigate this whole issue by means of an investigation?" Mr. Ashbrook included with his remarks an editorial from the Cincinnati Enquirer of May 28 entitled "The Otepka Drama Thickens."

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65-68266-

NOT RECORDED

126 JUN 12 1968

XEROX

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-4-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

ORIGINAL FILED IN 66-1731-313

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-4-68

FROM : N. P. Callahan

SUBJECT: **Pages E4926-E4927. Congressman Ashbrook, (R) Ohio, extended his remarks concerning the Ohio Otepka case. He stated "For those who have followed Otepka's battle with State, the seemingly impossible attempt to wring any vestige of justice from this agency is all too familiar. The mutilation of documents aspect of the Otepka case is a good case in point. Mr. Ashbrook pointed out that the State Department charged Otepka with mutilation of certain documents and then dropped the charges. Mr. Ashbrook went on to state "For some reason the possibility of perhaps convicting Otepka of a Federal offense, which calls for a fine of \$2,000 and a jail sentence of up to 3 years or both, somehow lost its urgency. - - - Perhaps it is not too late to catch the culprits. The statute of limitations on offenses under 18 U.S.C. 2371 is a period of 5 years. - - - Of course, State's strategy is clear. They are stalling until the statute of limitations runs out, thus preventing prosecution of the actual violators. They are doing the very same thing with regard to the perjury charges connected with the case, which charges also have a statute of limitation of 5 years. I intend to inquire of State what has been done to apprehend those responsible for this violation of a Federal statute. If Otepka is guilty, he should not be allowed to go free. In the same vein, if the State Department clique is guilty, they should be made to face the charges. Mr. Ashbrook included an article entitled "Otepka Presses Fight To Regain State Department Post" written by Willard Edwards. Mr. Edwards stated "Otepka is resigned to the fact that he will never be restored to duty as a security officer as long as Rusk remains in office. - - - He was at the Memorandum to the Director
Re: The Congressional Record**

65-68264
NOT RECORDED
199 JUN 12 1968

peak of his career when summoned to the lateful meeting with ~~him~~ and Robert Kennedy in December, 1960. They wanted him to ease the security requirements for a number of prospective state department appointments. He insisted upon full field investigations by the Federal Bureau of Investigation in the case of all appointments to the rank of assistant secretary or higher. One of those temporarily barred by Otepka's stand was Walt W. Rostow, now special assistant to President Johnson on national security affairs.

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-3-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62 JUN 19 1968

ORIGINAL FILED IN
65-1931-3318

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-7-68-

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page E5084. Congressman Ashbrook, (R) Ohio, placed in the Record a resolution adopted at the June 5 meeting of the Senate Judiciary Committee stating that the testimony given before the Senate Judiciary Subcommittee on Internal Security by John F. Reilly, David I. Belisle, and Elmer D. Hill, with regard to the Otepka case, shall be referred to the Department of Justice for a determination with respect to whether any prosecution is warranted.

65-68266-
NOT RECORDED
170 JUN 27 1968

Original filed in:

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

66 JUL 2 1968

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE:

5-28-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Otto Otepka

Pages E4656-E4661. Congressman Rarick, (D) Louisiana, advised that the Civil Service appeals examiner completed his review of the Otepka case May 20, 1968, and sustained the action taken by the State Department. Mr. Rarick stated "Mr. Otepka was found guilty of conduct unbecoming an officer of the Department of State. I am inclined to agree with the examiner—putting country first and being a dedicated American is conduct unbecoming the Department of State. I wish that it were otherwise—but the Department of State is unworthy of a man of Otepka's conduct." He placed in the Record the examiner's findings and decisions.

Original filed in:

66-1731-3308

65-68266-

NOT RECORDED

46 JUN 6 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 5-27-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 5-3-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H3324-H3325. Congressman Ashbrook, (R) Ohio, spoke concerning the Otepka case and the pending nomination of George W. Ball as Ambassador to the United Nations. He made reference to a column written by Willard Edwards and published in the Chicago Tribune on May 2 dealing with this matter. Mr. Ashbrook stated "The central issue in the Otepka case is whether, as Otepka claims, there was a concerted effort or conspiracy among State officials to 'get him.' If so, was George Ball a party to this effort. - - - In the name of justice, the Senate Foreign Relations Committee should ask Mr. George Ball to what extent, if any, he participated in the Otepka bugging. Even more important, because there is a Federal offense involved, Mr. Ball should be questioned as to his part, if any, in the mutilation of the documents. And finally, Mr. Ball should be asked to list all the persons involved in the buggings and mutilations—from the lowest to the top."

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NOT RECORDED

87 MAY 16 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 5-2-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

51 MAY 17 1968

ORIGINAL FILED IN
66-1731-3292

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: March 21, 1968

FROM : N. P. Callahan

SUBJECT: The Congressional Record

⑥ Pages H2120-H2121. Congressman Hall, (R) Missouri, stated the Otto F. Otepka case, so badly handled by our Department of State through the years, continues to intrigue all of our peoples. Even the excellent and typical Springfield, Mo., Leader-Press continues to portray this story of planned perfidy, malfeasance, and capidity in mismanagement of our No. 1 appointive Cablist branch of the bureaucracy. " He included the article entitled "Otto F. Otepka Won't Give Up" which appeared in the Leader-Press.

Original filed in:

NOT RECORDED

47 APR 25 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for March 20, 1968 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

APR 30 1968

May 27, 1968

CONG

RECORD — Extensions

E4659

a rather extended period in the economic doldrums as many of our industries moved to the South and the West, we have witnessed a turnaround with New England's economy growing during each of the 60's. In 1967, New England's net income gain, after adjustment for price increases, was 5.5 percent. The gain was 5.8 percent in 1965 and 6 percent in 1966. New England's 1967 income performance was significantly ahead of the 4.1 percent real income increase experienced throughout the country. The regional demand for labor, particularly skilled labor, continues strong. Unemployment during 1967 was relatively low at 3.8 percent. The years 1965, 1966, 1967 have all shown healthy increases in total employment. During this same period, the level of capital spending by New England manufacturers compared very favorably with the country as a whole. In summary, all current indicators suggest that 1968 will be the eighth successive year of significant expansion in the New England economy.

What explains this favorable trend? In a sense the answer is simple: more industry is locating in New England and present industry is growing. But there are more subtle forces involved. There has been considerable relocation of manufacturing activity within the six-state region. Employment and capital outlays are being redistributed throughout the area. For example, Massachusetts' share of the increasing total capital expenditures have decreased in recent years while the shares of Maine and Connecticut have significantly increased. Maine's paper industry continues to grow but also activity in food, textiles and shoes has increased noticeably. The aircraft and shipbuilding industries are growing in Connecticut. The non-electrical machinery industry in my own State of Rhode Island is expanding as it is in Vermont. New industries as well as old are relocating in the medium and smaller size cities throughout the area.

Without probing more deeply, it is apparent, as I am sure you gentlemen are more personally aware than I, that new industries are spreading throughout this region with a very beneficial economic impact for its residents. The point of particular interest to us gathered here tonight is that the air transportation services provided in the region must adequately serve this increasing economic activity if present very salubrious growth trends are to continue. New England's ability to attract industry rests in part, of course, upon its competitive transportation position *vis-a-vis* other areas of the country. There must be fully adequate transportation service available from all modes for raw materials or unfinished goods moving into the area and a complementary service to ship our products out of the area to the ultimate distributors and customers. As far as airline service is concerned, this means there must be good service at such cities as Burlington, Augusta and Manchester as well as at Boston and Hartford. Not only must we have adequate air service, but also a fully coordinated air-ground service must be available. Each of you can play an important part in seeing to it that the economic reargence of the New England region includes the development and availability of a fully adequate transportation service, on the ground as well as in the air.

Finally, I wish to congratulate Northwestern University for co-sponsoring this symposium during National Transportation Week here on its suburban campus in the historic environs of Lexington and Concord. I have enjoyed the occasion to share with you these thoughts on air cargo which presents so much of a challenge and so much of an opportunity for us all in the years ahead.

OTTO F. OTEPKA'S APPEAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1968

Mr. RARICK. Mr. Speaker, the civil service appeals examiner completed his review of Mr. Otepka's case May 20, 1968. Unfortunately, the examiner sustained the lower action taken by the Department of State.

Mr. Otepka was found guilty of conduct unbecoming an officer of the Department of State.

I am inclined to agree with the examiner—putting country first and being a dedicated American is conduct unbecoming the Department of State. I wish that it were otherwise—but the Department of State is unworthy of a man of Otepka's conduct.

Under unanimous consent I include the examiner's findings and decisions as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., May 22, 1968.

HON. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR MR. RARICK: This is in response to your telephone request today regarding the case of Mr. Otto F. Otepka.

The Appeals Examiner has completed his review of Mr. Otepka's case. Mr. Otepka was demoted, reassigned and reprimanded on the basis that he violated a Presidential Directive regulating the release of agency documents.

The Appeals Examiner advises that the evidence in the case, in his judgment, requires a decision affirming the action of the Department of State. A copy is attached for your information.

This decision becomes a final administrative decision of the Commission unless Mr. Otepka appeals to the Commission's Board of Appeals and Review within fifteen (15) calendar days of the receipt of the decision as he has been advised.

If Mr. Otepka does appeal to the Board of Appeals and Review, I will be pleased to advise you of the result.

Sincerely yours,

JOHN W. MACY, JR.,
Chairman.

Enclosure.

APPEAL OF MR. OTTO F. OTEPKA UNDER PART 752, SUBPART B, OF THE CIVIL SERVICE REGULATIONS

Appeal from a reduction in rank and pay, i.e., demotion from GS-15 to GS-14; and reassignment and reprimand, Department of State, effective December 13, 1967.

INTRODUCTION

Mr. Otepka filed an appeal with the Civil Service Commission by letter dated December 20, 1967. Thereafter, he submitted additional support material by letters dated December 27, 1967; January 10 (two communications); January 12, January 29 and February 20, 1968.

The appellate record was received from the Department of State on January 11, 1968. Mr. Otepka and his counsel reviewed the case file on January 12, 1968.

The agency's counsel, Mr. Irving Jaffe, reviewed the case file on February 20, 1968. A hearing was held before the Civil Service Commission on March 7, 1968. The appel-

l with his counsel, Mr. Roger Jaffe, testified.

The agency was represented by Irving Jaffe, Esquire, Justice Department.

ANALYSIS AND FINDINGS PROCEDURE

We find that Mr. Otepka was entitled to appeal to the Civil Service Commission and that he filed a timely appeal.

The reasons for the action are set forth in the Department of State's letter of proposed adverse action dated September 23, 1963. The agency's letter of September 23 contained specifications to support thirteen (13) charges; five (5) charges—that the appellant had conducted himself in a manner unbecoming an officer of the Department of State; four (4) charges—that he had been responsible for declassification of classified documents without adherence to prescribed procedures; four (4) charges—that he had been responsible for mutilation of classified documents.

We find that the notice of proposed adverse action set forth specifically and in detail the reasons for the proposed adverse action. By the terms of the September 23, 1963 letter, the appellant was allowed ten (10) days to reply both personally and in writing and to furnish affidavits or other evidence in support of his reply. The appellant replied in writing on October 14, 1963. We find the appellant was allowed a reasonable time to reply to the proposed adverse action.

By letter of November 5, 1963, Mr. John Ordway, Chief Personnel Operations Division, Department of State, notified the appellant of his findings that all thirteen (13) charges were sustained and that it was the decision to effect his removal on November 15, 1963.

On November 14, 1963, Mr. Otepka appealed the agency decision to the Department and requested a hearing. In view of this appeal, the removal action was not effected.

A hearing was held in the Department of State beginning June 6, 1967. At the outset of the hearing ten (10) charges and supporting specifications were withdrawn leaving three (3) charges and supporting specifications which are quoted below:

"(1) You have conducted yourself in a manner unbecoming an officer of the Department of State.

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

"You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dalton, Assistant Secretary of State, to Senator Eastland, Chairman of the Senate Committee on the Judiciary, dated March 20, 1963. A copy of this letter indicating that you were reminded of this prohibition is attached as Exhibit C.

"In your sworn statement, dated May 20, 1968, and enclosed as Exhibit A, you stated on pages 7 and 8 that you gave a copy of a classified memorandum entitled 'Francis O. Wilcox, Arthur Larson, Lawrence Baker, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz, to Mr. J. G. Sourwine, Chief Counsel, United States

67 JUN 5 - 1968

file 65-68266

9-1882

Senate Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. This memorandum concerns the loyalty of employees or prospective employees of the Department within the meaning of the Presidential Directive of March 13, 1948.

"This is a breach of the standard of conduct expected of an officer of the Department of State.

"(2) You have conducted yourself in a manner unbecoming an officer of the Department of State.

"Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

"You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator Eastland, dated March 20, 1963. A copy of this letter, indicating that you 'noted' it, is enclosed as Exhibit C.

"In your sworn statement, referred to above and enclosed as Exhibit A, you stated on page 9 that you gave a copy of a classified memorandum entitled 'Processing of Appointments of Members of the Advisory Committee on International Organizations Staffing', to Mr. J. G. Sourwine. This memorandum concerns the loyalty of employees or prospective employees of the Department within the meaning of the Presidential Directive of March 13, 1948.

"This is a breach of the standard of conduct expected of an officer of the Department of State.

"(3) You have conducted yourself in a manner unbecoming an officer of the Department of State.

"Specifically: You furnished a copy of an investigative report concerning a prospective employee of the Department to a person outside of the Department without authority and in violation of the Presidential Directive of March 13, 1948 (13 Fed. Reg. 1359). This Directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

"You were reminded of the prohibition contained in this Directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator Eastland, dated March 20, 1963. A copy of this letter, indicating that you 'noted' it, is enclosed as Exhibit C.

"In your sworn statement, referred to above and enclosed as Exhibit A, you stated on page 10 that you gave a copy of an investigative report dated May 27, 1960, to Mr. J. G. Sourwine, concerning 'Joan Mae Fogitzanz'. This report concerns the loyalty of employees or prospective employees of the Department within the meaning of the Presidential Directive of March 13, 1948.

"This is a breach of the standard of conduct expected of an officer of the Department of State."

On December 9, 1967, the Secretary of State issued the Department's findings and decision on Mr. Otepka's appeal. The decision substitutes a lesser penalty for the previous decision to remove. The penalty provision

effectuated on December 13, 1967 is quoted below:

"(a) That he be severely reprimanded.

"(b) That he be reduced in grade from GS-15 to GS-14, step one.

"(c) That he be transferred to duties in the Department of State which are within his qualifications but which do not involve the administration of personnel security functions."

We find that the Department of State complied with the procedural requirements of law and regulations in effecting the action against Mr. Otepka.

MERIT

In a letter of January 12, 1968, counsel for the appellant wrote the Appeals Examining Office and requested an investigation to discover "the identity of the person or persons who clipped the documents alleged to have been found in Mr. Otepka's burn bag, the identity of the person to whom the recording of Mr. Otepka's telephone, conversations were delivered, and the precise facts surrounding the erasure of these recordings, if they were erased." Counsel for the appellant stated that, "It is our belief that these undisclosed individuals were agents of those who schemed to destroy Mr. Otepka, and that disclosure of their identities will lead to the identification of their principals."

The letter of January 12, 1968 from counsel for the appellant to the Appeals Examining Office made reference to "Charges 4-11 inclusive" in the original letter of charges and counsel noted that the Department of State had advised him that it held Mr. Otepka "responsible" for clipping classified documents but refused to name the person who did the actual clipping. He also noted that he had requested permission to examine Mr. Otepka's burn bag and the contents in order to establish the identity of others who had used the bag, but was again denied.

In addition, the counsel alleged that Mr. Otepka's phone was tapped; that an Elmer Dewey Hill had stated he delivered the records to an unknown person on orders of Mr. Reilly but Reilly has testified he had no recollection of such an order. He also noted that Mr. Otepka demanded the tapes of his conversations be produced but was informed they had been erased.

The charges against the appellant which the Department relied on to justify his demotion allege that he committed certain specifically-described acts. As a result, it was concluded that it was not necessary to the proper adjudication of this appeal for the Appeals Examining Office to investigate alleged actions of other personnel of the Department of State along the lines urged by the appellant's counsel. His counsel was accordingly advised in letter of January 23, 1968, that evidence and testimony would be limited to the allegations on which his demotion was finally based.

On January 29, 1968 counsel for the appellant wrote the Appeals Examining Office and reiterated, "It has been Mr. Otepka's position at every stage of these proceedings that the charges against him were a subterfuge and were not brought in good faith, but were contrived pursuant to a wrongful scheme and design to harass and destroy him. In exploring the issue thus raised, it is important to determine the identity of the person or persons who clipped the documents alleged to have been found in Mr. Otepka's burn bag, the identity of the person to whom the recording of Mr. Otepka's telephone conversations were delivered and the precise facts surrounding the erasure of these recordings, if they were erased. It is our belief that these undisclosed individuals were agents of those who schemed to destroy Mr. Otepka, and that disclosure of their identities will lead to the identification of their principals, whom the Department of State is attempting to protect."

Counsel for the appellant contended his

hypothesis is relevant to the appellant's case and asked for production of the affidavit submitted to the Secretary of State by Clarence Jerome Schneider and affidavits submitted by Elmer Dewey Hill, John Frances Reilly and David I. Belisle. Also requested was a report of wiretapping submitted by Mr. George W. French, Jr., and Ambassador Wilson Flake.

As already indicated above, the charges relied on to support the demotion of the appellant were based on allegations that he committed certain acts. The record reflects he admitted those acts (although not the "wrongness" attributed to them). As a result, it was concluded that the basic issue presented by the appellant's appeal was whether these admitted acts justified his demotion and, accordingly, that the existence of a conspiracy, even if established, was not decisive at this posture of the case. Accordingly, the Appeals Examining Office advised the appellant's counsel that his request for discovery of this evidence was denied.

A hearing was held in the Commission on March 7, 1968 at which time appellant read a prepared statement and was cross-examined by the agency counsel.

Appellant defends against the charges relied upon for the adverse action and states that his delivery of certain documents to the Chief Counsel of the Senate Subcommittee on Internal Security, Committee of the Judiciary, U.S. Senate, is authorized by 5 USC 7102 and any action against him for so exercising his rights under 5 USC 7102 is illegal. This Section reads as follows:

"Sec. 7102. Right to petition Congress; employees

"The right of employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied."

The appellant offers neither case citation nor analysis of the legislative history of 5 USC 7102 to support a hypothesis that the legislature, when it enacted the Lloyd LaFollette Act of 1912, 5 USC 7102, intended also to protect the unauthorized taking of documents from an agency and delivery of them to the legislature. Research of the legislative history of the Act and judicial cases in the perimeter indicate that 5 USC 7102 does not preclude the State Department from taking action against Mr. Otepka for violation of the Presidential Directive of March 13, 1948 prohibiting the disclosure alleged.

He also contends that delivery of the documents was not a violation of the Presidential Directive. We think it clear that the delivered documents come within the description used in the Directive which covers "all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of . . . investigative agencies)".

All three documents involved are "records . . . relative to the loyalty of" persons covered by the Directive. Each of the documents referred to in the first and second charges is also a "report . . . relative to the loyalty of . . . prospective employees" therein named. The document involved in the third charge is a report of the investigation into the background of the person named in it and fits the category described parenthetically, but explicitly, in the Directive, i.e. "reports of . . . investigative agencies."

In addition, the documents disclose the kind of data concerning persons which the President decided should be disclosed outside the Executive Branch only after the President, in a particular case, determines that disclosure is in the public interest. Therefore, this contention of the appellant is dismissed.

The appellant also contends that he was required to deliver the documents pursuant to his duty to testify before the Senate Subcommittee. The testimony of the Chief

Counsel for the Subcommittee indicates he did not ask the appellant for the file on any particular person. The testimony of the Chief Counsel of the Subcommittee at the State Department hearing indicates the discussion between him and the appellant centered on the credibility of the appellant's testimony, vis a vis, that of his superior. In his testimony, the Chief Counsel of the Subcommittee said he told the appellant to "put up or shut up," with regard to the appellant's statements that his was the accurate testimony given before the Senate Subcommittee.

The appellant could have reasonably interpreted counsel's request as a demand for proof over and above the appellant's oral testimony. However, there was no demand made upon him to take the precipitous step of securing and delivering record files in violation of the Presidential Directive. There was another alternative open to him. For example, he could have told Counsel for the Subcommittee that the proof was there for the Subcommittee to request from the Secretary of State. Therefore, we must dismiss this contention of the appellant.

The appellant contends that if there was an offense, it was insignificant. He said the personnel security report of Joan Mae Fogltanz contained no derogatory information. He said also that the Secretary of State has released personnel investigation files to the Senate Subcommittee.

Any action by the Secretary of State would not alter the fact that a decision to release a report of investigation was not Mr. Otepka's to make. Although he describes the background information in the report of Fogltanz to be favorable, nevertheless, the information was given in confidence to an investigator and contained details about the private life of the person investigated. In addition, the other documents delivered indicate the existence of derogatory information about persons named therein. We cannot agree the offense is insignificant.

The appellant further contends that what he did was done in defense against those who would destroy him. He says he had no adequate channel of protest in the Department of State and hence was required to use this means, i.e., delivery of the documents to defend himself.

The appellant's judgment concerning the inadequacy of remedies in the Department of State can be given little weight. The machinery was there, and until he used it, he has no basis for calling it inadequate.

The appellant also contends that conduct unbecoming an officer of the State Department is not defined by Department of State Regulations. This is a technical plea. The answer is there is no requirement that an agency must list or specify all things that constitute conduct unbecoming an officer of that agency to exclusion of all other possible conduct.

The appellant also contends that his being forced to appear before a hearing officer who was an employee of the Department of State and the long delay in rendering a decision in his case violates concepts of fair play and make the action against him one that is unconscionable.

The channel of appeal chosen by the appellant under which he appeared before an employee of the Department of State is an optional appeal channel established pursuant to Part 771 of the Civil Service Regulations. The appellant need not have appealed to the State Department. He could have chosen to appeal direct to the Civil Service Commission. The appellant contributed to some of the delay in this case but he need not have undergone more than sixty days suspense after he chose to appeal to the Department of State. Here again he could have cancelled his appeal and filed an appeal with the Commission. In short, the appellant chose the forum and also chose to

wait out its process. This contention is dismissed.

The record reflects the appellant's position was abolished; access to certain data was taken away from him and he was placed under close surveillance. It also fairly reflects conflict between Mr. Otepka and his immediate superiors beginning in 1960. Although one might not be prepared to accept the extremes of Mr. Otepka's hypothesis, that a group in the State Department had conspired to destroy him, nevertheless, the record is fairly clear that higher management in the State Department did not desire that Mr. Otepka occupy an influential position in its security program. However, administration of the security program is not the property of any particular employee but is the responsibility of top management in the Department of State. There is no obligation by any department to keep a career employee in any particular field so long as his rights as a career employee are observed. This record contains no demonstration of any act in violation of Mr. Otepka's rights in this respect by the Department of State. Its efforts to train him for use in other fields is evident by the War College assignment which the appellant regarded as so suspicious.

The appellant in this conflict has struck one blow through which he accomplished much of what he says his enemies had in store for him. He delivered to the Chief Counsel, Senate Subcommittee on Internal Security three documents of a security nature. He had no right to take the files and records of his agency and release information which he knew may be disclosed only by the President. Furthermore, he had no right to invade the privacy of those who were named in the three documents. It is a fair conclusion that having taken this action one time, he might well do it again and it is reasonable for management to discipline him and remove him from the area where he has demonstrated capacity for harm. Therefore we conclude that the action taken by the Department of State was for a cause as will promote the efficiency of the service and that the decision to effect the action was not unreasonable, arbitrary or capricious.

DECISION

It is recommended that no change be made in the personnel action of the Department of State in effecting the demotion and reassignment of Mr. Otto F. Otepka on December 13, 1967.

This recommendation becomes a final decision of the Civil Service Commission unless either the appellant or the employing agency files an appeal with the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415, within fifteen (15) calendar days of receipt of this decision.

Section 772.307 of the Civil Service Regulations provides that such an appeal must be in writing setting forth the basis for the appeal.

Since there is no further right to a hearing, additional representations (if any) should be made in writing and submitted in duplicate with the appeal to the Board.

JAMES T. MASTERSON,
Chief, Appeals Examining Office

RIOTING IS EXPENSIVE FOR ALL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, May 27, 1968

Mr. THURMOND. Mr. President, the Dillon S.C., Herald of April 23, 1968, contains an interesting editorial entitled "Rioting Is Expensive for All."

The editorial makes the point that money spent controlling riots and repairing the damage is generally used for nonconstructive purposes. It calls to our attention that the Government's revenue is reduced because businessmen are no longer able to maintain their business and provide jobs in riot areas.

Money that could be spent to help solve the problems of the Nation's poor is therefore wasted on riot control and everyone is penalized, the poor perhaps most of all.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIOTING IS EXPENSIVE FOR ALL

If the money being spent in the United States to control riots and to repair the damage left by them could be spent instead to develop better education and housing facilities and provide job training, a big beginning would be made today solving some of the problems which plague the nation's poor.

The fires, looting and vandalism not only are costly to businessmen, some of whom are forced out of business, but are costly to the local state and federal governments because the businessman's tax-paying ability is reduced.

The businessman who may have provided jobs becomes unable to do so, and thus more taxes are lost. Consequently the government has less money to spend on needed projects.

Even the threat of riots are costly. Municipal governments are earmarking larger portions of their budgets to train and equip police for riot control.

It all adds up to a lot of money being spent for basically non-constructive purposes when it is very much needed for constructive undertakings.

And everyone is penalized, perhaps the poor most of all.

SELF-HELP IN EDUCATION

HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 27, 1968

Mr. POFF. Mr. Speaker, under leave to extend my remarks, I would like to quote for the RECORD the speech delivered by Mr. Tyler Fulcher, division superintendent, county school board of Amherst County, Va., at the ceremony dedicating the latest addition to the facilities of the Amherst County High School, a gymnasium which serves a second function as an auditorium for the student body:

ACCEPTANCE OF GYMNASIUM

Today is a great day for Amherst County. The people of Amherst County have achieved another victory in the school construction program. May 18, 1968, is a day on which we welcome a new addition to the family of school buildings. In September, 1953, we, the people of Amherst County, took a look at ourselves, in the area of public school education. Many of the things we saw we disliked, and we realized as a result of this look that the hour of decision had come, and reality was ours to face.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 3/19/68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page H1988. Congressman Nelson, (R) Minnesota, pointed out that the large amount of mail he continues to receive "pleading for justice in the Otepka case certainly convinces me that, in the minds of the voters at least, this case is far from being over. The harassment of and attempt to destroy Otto Otepka is without a doubt one of the most disgraceful chapters in the history of our State Department. - - - - Probably most serious to our Nation as a whole are the questions the case presents concerning the adequacy of the internal security operations within the departments and agencies of the executive branch of the Government." Mr. Nelson included an article from the Fairbault (Minnesota) Daily News entitled "Turmoil Over Otepka Security Case Is Far From Being Over."

Pages E1993-E1995. Congressman Ashbrook, (R) Ohio, stated "Jackis, Nes, Norpel, Hite and Burkhardt, Otepka and Koczak. - - - - these are but a few of the names I have called to the attention of Members of this body over the last few years and especially the last dozen months. They are names of men who have been maliciously and knowingly harassed because they chose to put their Nation first and such items as 'institutional loyalty' second. - - - - Of special interest is the case of Stephen Koczak. Koczak's case is unique since he is the first 'selected out' Foreign Service Officer to attempt to gain reinstatement and vindication. And his fight against the system is all the more difficult because of the lack of appeal within the Foreign Service." He advised that a highly readable and well researched account of this case is contained in the latest issue of Edward Hunter's monthly publication "Tactics." Mr. Ashbrook went on to state "In my opinion this is the finest treatment of the Koczak case available, and a successful attempt to include the details without losing sight of the significance and context into which they should be placed." Mr. Hunter's article is set forth in the Record.

65-68266 -

NOT RECORDED
128 MAR 27 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 3/12/68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62 APR 5 1968

Original filed in: 66-1731-3260

UNITED STATES

1ENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-17-2011 BY 60324UCBAW/SB/CMW

Memorandum

TO : The Director

DATE: 3-15-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page E1982. Congressman Ashbrook, (R) Ohio, extended his remarks concerning the Otto Otepka case and included an editorial from the New York Daily News of March 4 entitled "An Appeal for Justice." He stated "Public refusal to forget this travesty on justice is certainly encouraging and illustrates the sense of fairplay which motivates the American people and which is evidently absent in some State Department personnel involved in this case. The seriousness of this issue is illustrated by the fact that personages as highly ranked as Walt W. Rostow appear as figures in the plot." Mr. Ashbrook commented on Otepka's determined insistence on a just resolution of his case and stated "For instance, although Rostow was subject to an FBI investigation, the question still remains as to who made the evaluation of the information supplied by the Bureau. The FBI, it will be remembered, is a fact-finding agency and does not make evaluations on the information at hand. Also, I am sure the public would like to know who was responsible for the mutilation of documents, a charge made against Otepka and which he has denied. In his appeal to the Civil Service Commission Otepka asked that the mutilation charges be investigated and culprits exposed."

Orig.

65-68266
NOT RECORDED
184 MAR 25 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 3-14-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in the Bureau case or subject matter files.

54 APR 3 1968
136

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 3-8-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages E1664-E1665. Congressman Ashbrook, (R) Ohio, extended his remarks concerning the Otepka case and stated "The security aspects of this case are the most widely known, but its applicability to civil service employees, in general, needs to be better appreciated. Since late 1963, Otepka has been engaged in a monumental battle with officials in the State Department in which just about every underhanded device has been used to get this hard-nosed security officer out of the State Department. . . . Now comes another case in which a lone citizen has been fighting the Government for some time to right an alleged wrong. In today's Washington Star, Joseph Young, . . . brings to light the case of a scientist with the Air Force who was retired on grounds of mental disability. . . . As in the Otepka case, the scientist has been forced to use his own funds to advance his case while the taxpayers' dollars pay the bills for the Government side." Mr. Ashbrook advised that this column made reference to the Otepka case and pointed out that the State Department is getting some heat from Congress on their use of manpower and that reflection in both State's appropriation and personnel might be in the offing. He included Mr. Young's column with his remarks.

Original filed in: 66-1731-32251

65-68266-

NOT RECORDED
170 MAR 20 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for _____ was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2/23/68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

off Otepka
B Pages H1265-H1273. Congressman Ashbrook, (R) Ohio, spoke concerning the Otepka case. He stated "His case gives a penetrating insight into questionable State Department policies which have found lax security, favoritism, subversion, immorality, and dishonesty tolerated if not fostered, while at the same time honest public servants are given the kangaroo court or official cold-shoulder treatment. - - - The vital need for unbreachable security procedures has been pointed up during the past two decades by many cases of defections, disappearances, suicides, arrests, scandals, and the like, but nowhere, not even in the phenomenal Richard Sorge case, have there been situations to rival those of Harold 'Kim' Philby, Guy Burgess, and Don Maclean. Mr. Ashbrook set forth information concerning activities of Philby, Burgess and Maclean. He pointed out that "With recent disclosures in the British press there can remain little doubt as to who was responsible for the intelligence leak in Washington which so benefited the Chinese Reds. Philby arrived in Washington as British liaison to the FBI and CIA and in November 1950, Maclean came to Washington as head of the Foreign Office's American department."

The Washington Post of October 16, 1967, excerpted material from the London Sunday Times relating to Maclean's role in the Korean affair. "Mr. Ashbrook also comments on other cases of lax security by the State Department and the treatment accorded certain personnel by the State Department for their efforts in trying to enforce strict security regulations. Mr. Ashbrook concluded "Otto Otepka illustrates the torturous ordeal that good government employees must go through when they challenge the officialdom in Washington, particularly in the State Department. His case stands as an indictment of the State Department and its policies."

Adjournment: Until Thursday, February 22, 1968, at 12 noon.

65-68266-
NOT RECORDED

In the original of a memorandum captioned and dated as above, the Congressional Record for 2/21/68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

37 MAR 25 1968

3250
ORIGINAL FILED IN 66-1731

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2-28-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page H1435. Congressman Ashbrook, (R) Ohio, pointed out that recently I stated in the Congressional Record that the combination of the press, the Congress, and the people will eventually be successful in obtaining justice and fair play for Otto G. C. K., the State Department security evaluator. He included several items from the February 21st issue of the Chicago Tribune on this subject.

Original filed in: 66-1731-3241

65-68266
NOT RECORDED
128 MAR 6 1968

55MAR 13 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 2-27-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-17-2011 BY 60324UCBAW/SB/CNW

TO : The Director

DATE: 2-19-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages E828-E830. Senator Williams, (R) Delaware, requested to have printed in the Record an editorial from the Chicago Tribune of February 16 entitled "Exposure Is the Corrective." The editorial stated "Rarely has a newspaper story brought quicker action to correct a manifest injustice than did that of Willard Edwards of our Washington bureau concerning two men consigned to Coventry by the state department." The editorial referred to Harry M. Hite and Edwin A. Burkhardt pointing out that they "were caught up in the department's vendetta against Otto F. Otepka, former chief of evaluations in the state department's office of security. . . . Hite and Burkhardt, members of his security staff, were ostracized by their superiors for telling the truth and supporting Otepka." The editorial went on to state "Growing panic in the state department led to an expression of apology to Hite and Burkhardt from lower echelon officials and new assignments as personnel officers. . . . Had Mr. Edwards' story never been published, you may be certain there would have been no redress. Without newspapers, every citizen would be at the mercy of the conscienceless bureaucracy. There remains the matter of justice for Mr. Otepka. . . . It is up to Congress to get President Johnson to cut thru the red tape and order Otepka's rights restored, with adequate apologies from his persecutors."

Original filed in: 66-1771-3239

65-68266-

NOT RECORDED

25 FEB 27 1968

In the original of a memorandum captioned and dated as above, the Congressional Record for 2-16-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-17-2011 BY 60324UCBAW/SB/CMW
DEPARTMENT OF JUSTICE

TO : Director, Federal Bureau of Investigation

DATE: October 22, 1968

FROM : Fred M. Vinson, Jr.
Assistant Attorney General
Criminal Division

FMV:JKH:km
51-16-796

SUBJECT:

[redacted] Perjury.
Letter from Congressman John M.
Ashbrook, September 26, 1968

A copy of the above captioned letter is attached.

Please note the second paragraph, page two, of the attached letter. We are unable to find in our records any 1963 reports of the Bureau to the Department relating to possible perjury on the part of Reilly, [redacted]. Our records do reflect, however, that the question of the possible perjury of Reilly, [redacted] was referred to the Department by a written request from Senator James O. Eastland on June 5, 1968.

We would appreciate your comments regarding Congressman Ashbrook's letter.

Attachment

EXP. PROC.
OCT 22 1968

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b7C

b6
b7C

EX-102

REC 27

65-6806-949

10 OCT 22 1968

ENCLOSURE

11-4
10 OCT 22 1968
SIX

let aa Reilly
10/25/68
33 NOV 18 1968

175

JOHN M. ASHBROOK
17th DISTRICT
OHIO

206 CANNON HOUSE OFFICE BUILDING

ALL INFORMATION CONTAINED
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DATE 05-17-2011 BY 60324UCBAW/SB/CMW

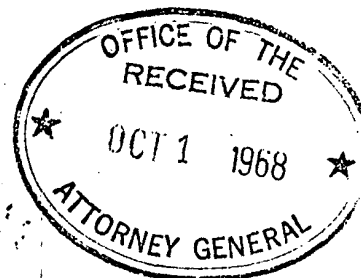
UN-AMERICAN ACTIVITIES

Congress of the United States

House of Representatives

Washington, D.C. 20515

September 26, 1968



Honorable Ramsey Clark
Attorney General of the United States
Washington, D. C.

Dear Mr. Clark:

This inquiry concerns the delay by the Justice Department in deciding not to prosecute the three State Department employees [redacted] Reilly, [redacted] which case was referred to your office by the Senate Internal Security Subcommittee on June 5 of this year.

b6
b7C

On August 8, 1967, Assistant Secretary for Congressional Relations, William Macomber, Jr., responded as follows to an inquiry from another Congressional office:

I have been informed that the transcript of the testimony given before the Senate Internal Security Subcommittee by [redacted] and [redacted] has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses.

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b7C

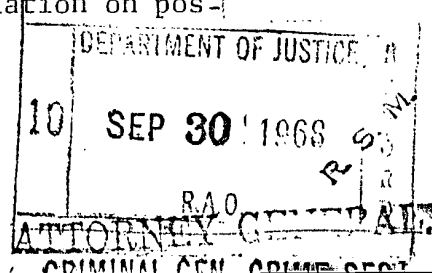
At a press conference on January 4, 1968, Secretary of State Dean Rusk was asked why no action had been taken in four years on the perjury charges. He replied, "I think this is a decision of the Department of Justice, based on the record."

On December 8, 1967, Assistant Attorney General Vinson replied to my query on the possible perjury charges:

Having searched our files and discussed this matter with Mr. Macomber, I can advise you that his information is apparently in error. There has been no such referral of the transcript of the testimony of [redacted] Reilly, [redacted] to this Department for review and recommendation on possible perjury charges.

b6
b7C

65-68260-94
ENCLOSURE



The record, referred to by Mr. Rusk above, indicates that the Senate Internal Security Subcommittee began its last series of hearings on State Department Security in February, 1963; they ended in May, 1965. Otto F. Otepka was the first witness, followed by a score of others, including Reilly, [redacted] and [redacted]. It is my understanding that, observing a long established practice, the Subcommittee dispatched a copy of the stenographic transcripts of each witness's testimony to the Justice Department through the F.B.I. Among the transcripts were the testimony of [redacted] and Reilly on August 6, 1963 when each denied any knowledge of the tapping of Mr. Otepka's phone.

b6
b7C

The record also indicates that testimony by State Department witnesses before the Subcommittee showed that the Department of Justice began an investigation of Mr. Otepka in July, 1963, which was to continue for some time. F.B.I. agents who talked with Mr. Otepka in August, 1963, advised him that the investigation was being made, not at the request of F.B.I. Director J. Edgar Hoover, but at the behest of the Attorney General's Office. Any investigative data obtained, including the testimony of Reilly, [redacted] was coordinated with and furnished to the Attorney General's offices and to the Internal Security Division.

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In view of the deep involvement of the Justice Department in the Otepka case, I should appreciate knowing whether the Justice Department received copies of the testimony of Reilly, [redacted] as early as 1963?

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In his letter of December 8, 1967, Mr. Vinson also stated:

Instances of possible perjury before a committee of Congress are brought to the attention of the Department of Justice for review and prosecutive determination by direct referral from the Congressional committee before which the testimony was given.

In clarification of the above statement, I should like to know what statutory or other basis is there which requires the Justice Department to suspend prosecution on possible felonies until referral by a congressional committee?

This question is especially pertinent in view of Justice Department policy in 1964. According to his testimony before

2

the Senate Internal Security Subcommittee, Mr. J. Walter Yeagley, Assistant Attorney General in charge of the Internal Security Division, Department of Justice, required no congressional referral before initiating action. On August 14, 1964, Mr. Yeagley was asked by Mr. J. G. Sourwine, counsel for the Subcommittee:

(Mr. Sourwine). Do you remember the referral to the Department (of Justice) of the case of William Wieland for determination as to whether the Department desired to prosecute for perjury in connection with, or growing out of his testimony before this subcommittee:

Mr. Yeagley. I do not believe the Wieland case was formally referred to us for determination as to whether prosecution for perjury was feasible. His testimony, however, had been brought to our attention and we made an examination and arrived at a determination merely because we felt it was our responsibility to do so, but I do not recall a referral. (Subcommittee Hearings, State Department Security - 1963-65, Part 1, p.88) (Emphasis added.)

Mr. Yeagley's Internal Security Division derives its jurisdiction regarding perjury cases involving government employees from Section 13, E.O. 10450, which states:

The Attorney General is requested to render to the heads of departments and agencies such advice as may be requisite to enable them to establish and maintain an appropriate government security program. (See U.S. Govt. Org. Manual, 1968-69, p. 222.)

This phase of my inquiry concerns the so-called "mutilation of documents" charges which were brought against Otto Otepka but which were dropped in June, 1967. An article in the Washington Post of June 7, 1967, written by George Lardner, Jr., stated:

, Justice Department attorney representing State in the proceeding, said he moved for dismissal of the ten charges for varied 'technical, legal reasons.'

b6
b7c

Honorable Ramsey Clark

Page 4

The article went on to say:

Dismissal of the 'mutilation' charges, [redacted]
declared [redacted]

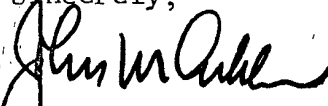
[redacted] but he declined to elaborate.
(emphasis added)

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My third question, of course, is why Otepka was not prosecuted by the Justice Department for violation of 18 U.S.C. 2071 and what were the "technical, legal reasons" for dropping the charges if, as the Washington Post quotes Jaffe, a question of proof was not involved?

Your reply to these three specific questions, all possibly involving malfeasance on the part of the Justice Department, will be appreciated.

Sincerely,



John M. Ashbrook
Representative to Congress
17th District

gg

December 9, 1968

REC 58

65-68266 95

[Redacted]

b6
b7c

Frankfort, Indiana 46041

Dear [Redacted]

I have received your letter of December 1st.

In response to your request, I would like to point out that it is not within my prerogative nor in the scope of my authority to intercede in matters that are not within the investigative jurisdiction of this Bureau. Further, the FBI neither clears nor concurs in the clearances of employees of other agencies in the Federal Government. Upon request, we furnish pertinent information known to this Bureau to the employing agency which has the responsibility for passing on the necessary clearance. For these reasons, it is not possible for me to take the action you desire.

Sincerely yours,
J. Edgar Hoover

MAILED 20
DEC 9 - 1968
COMM-FBI

NOTE: Bufiles disclose previous outgoing to [Redacted] acknowledging his favorable remarks regarding the Director's retirement. He requested 100 copies of "Statement on Communism" which he received. Otto Otepka is well known to the Bureau.

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b7c

FMG:mrm (3)
mrm

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Rm. _____
Holmes _____
Gandy _____

54 DEC 18 1968

MAIL ROOM ☐ TELETYPE UNIT ☐

TEPka
Jan 16
Ind

PHONE:
RES. 659-3677
OFF. 654-5922

OFFICE HOURS
2-5 b7C
EXCEPT WED.

FRANKFORT, INDIANA
1 December 1968

Mr. Tolson ✓
Mr. DeLoach ✓
Mr. Mohr ✓
Mr. Bishop ✓
Mr. Casper ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. Felt ✓
Mr. Gale ✓
Mr. Rosen ✓
Mr. Sullivan ✓
Mr. Tavel ✓
Mr. Trotter ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

Mr. J. Edgar Hoover,
Director, Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

I am writing this with the hope that you can use your influence with the powers that be - to correct a grievous miscarriage of justice. I - with millions of other - wish to see OTTO OTEPKA placed in charge of security measures in our Department of State with a free hand to eliminate all those that have any propensity for treasonable activity.

Our Senate enacted a law (United States Code, title 5, Paragraph 652(d)) that provides immunity from reprisal, one who furnishes information to either House of Congress. Our present Secretary of State has wilfully violated this provision and the only reasonable assumption is that it was to cover up treasonable activity.

I hold to one premise: STALIN never hired an enemy. Acheson was in his employment as counsel for Amtorg before he came into the Treasury Department under Roosevelt. When he entered the State Department in 1940 - he virtually became the Secretary as Cordell Hull complained of being by-passed on many occasions. Senator Joseph McCarthy noted the rapid rise of Alger Hiss in the State Department after Acheson's defense of Hiss to Roosevelt in 1940.

After Hiss left the State Department, Rusk succeeded to his position - continuing the policy of hiring Communists for positions in the U.N. I have never seen any evidence that would indicate that Dean Rusk has lost his predilection to favor Communists or their friends.

Any help to re-instate OTTO OTEPKA will be a boost for the truly patriotic employee of our Government!!

Yours Sincerely

b6
b7C

REC 58 65-68 266 95

10 DEC 11 1968

CORRESPONDENCE

March 11, 1969

MEMORANDUM FOR MR. TOLSON
MR. DE LOACH
MR. SULLIVAN
MR. BISHOP

Last Friday evening Honorable John D. Ehrlichman, Counsel to the President, phoned me from Key Biscayne. He stated the President had asked him to communicate with me and to inform me that he, the President, intended to appoint Otto F. Otepka to the Subversive Activities Control Board. He stated the President wanted me to know of this before it appeared in the press.

I thanked Mr. Ehrlichman for phoning this information to me.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

SEARCHED _____
SERIAL _____
INDEXED _____
FILED _____
MAR 12 1969
FBI - NEW YORK
BLG

JEH:EDM (8)

10 MAR 12 1969

Tolson _____
DeLoach _____
Mohr _____
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Gandy _____

MAIL ROOM ☐

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67 MAR 13 1969

March 13, 1969

BY LIAISON

Honorable John D. Ehrlichman
Legal Counsel to the President
The White House
Washington, D. C.

Dear Mr. Ehrlichman:

Reference is made to your name check request
concerning [redacted] and three other individuals.

Attached are separate memoranda regarding the
following individuals:

[redacted]

[redacted]
Otto F. Otepka

Sincerely yours,

REC 107

NOT RECORDED

141 MAR 19 1969

DELIVERED

ON

Enclosures (6)

ENCLOSURE

ENCLOSURE ATTACHED

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
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Sullivan _____
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Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

1 - Mr. DeLoach (sent direct) - Enclosures
1 - Mr. Gale (sent direct) - Enclosures

JMM:cmj

(7)

MAIL ROOM ☐

TELETYPE UNIT ☐

MAR 25 1969

ORIGINAL FILED IN 62-1-33249

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March 13, 1969

Summary
OTTO F. OTEPKA

Otepka is the former Chief, Division of Evaluations, Office of Security, State Department, who received considerable publicity after hearings on his dismissal from the State Department were held by the Senate Internal Security Subcommittee (SISS). Otepka's position in the State Department had been to evaluate and make decisions with regard to individuals employed by the State Department who possibly could be security risks. Otepka reportedly declared a large number of persons to be security risks whereupon John F. Reilly, who was then an Attorney in the Department of Justice when Robert F. Kennedy was Attorney General, was transferred to the State Department as Deputy Assistant Secretary for Security and thus became Otepka's supervisor. Reilly reportedly went to the State Department to "check up" on Otepka. He allegedly attempted to use microphones and "bugs" in Otepka's office.

As a result of information received from Mr. John F. Reilly that Otepka was furnishing Mr. Jay Sourwine of SISS classified and unclassified documents originating at the State Department, the FBI, at the request of the Department of Justice, instituted investigation on July 17, 1963. Sourwine denied the allegations; however, Otepka admitted giving Sourwine at least 12 documents, two of which were classified "Confidential." Otepka stated that in his capacity as Chief, Division of Evaluations, Office of Security, State Department, he had testified before the SISS as to security practices at the State Department; subsequently, Sourwine told him Reilly's testimony contradicted Otepka's; therefore, Otepka had given Sourwine State documents to rebut Reilly's testimony in his (Otepka's) expected reappearance before the SISS.

Sourwine claimed that the documents furnished to him by Otepka were not given to him, Sourwine, as a person but were given to him in his capacity as Counsel for the SISS in connection with the hearings at which Otepka was appearing as an official witness. *TBR*

NOTE: Per request of Mr. John D. Ehrlichman, Legal Counsel to the President.

JMM:rog

(7)

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Sullivan _____
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MAIL ROOM ☐ TELETYPE UNIT ☐

[Handwritten signature]

Otto F. Otepka

In his testimony, Reilly first denied that listening devices had been installed in Otepka's office. He subsequently admitted that wires in Otepka's phones in his State Department office were juggled but this method proved unsatisfactory. The Department of Justice reportedly had given consideration to the prosecution of Reilly for perjury; however, this matter was not referred to the FBI for investigation. The State Department allegedly intended to fire Reilly in connection with the perjury allegation. He reportedly was suspended, however, and then retired.

By letter dated March 18, 1964, the Department of Justice declined prosecution on grounds that it could not be proven Otepka was "willful" in furnishing the documents to Sourwine and it was doubtful if the national defense character of the classified documents could be proven.

The Civil Service Commission Board of Appeals and Review ruled on September 25, 1968, that Otto F. Otepka was properly demoted from his position of Supervisory Personnel Security Specialist because, without official approval, he had given copies of certain classified memoranda to J. G. Sourwine, Chief Counsel of the Senate Internal Security Subcommittee.

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with captioned individual based upon background information submitted in connection with this name check request.

Federal Bureau of Investigation
Records Branch

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 05-17-2011 BY 60324UCBAW/SB/CMW

, 19__

☐	Name Searching Unit - Room 6527	
☐	Service Unit - Room 6524	
☐	Forward to File Review	
☐	Attention 	b6
☒	Return to 	b7C
	Supervisor Room Ext.	

Type of References Requested:

- ☒ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main References Only

MAR 10 1969

Type of Search Requested:

- ☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject Stephan Otto Inel
 Birthdate & Place _____
 Address _____

Localities

R# 10 Date 3-10 Searcher Initials 211
 Prod. 32 NR

FILE NUMBER SERIAL

UTO 65-68266 BR 8-23-63

Otto J.

I 65-68266 I

NPT 140-32795 I

I 62-88217-2833

I 2912 Ep. 1957

1959, 1961, 1968, 1970, 1971

1983, 1985, 1989, 1991, 1992

1994, 1996, 1999, 2000, 2003

2005, 2007-2009

I 62-39749-2910, 1328

I 62-39749-3139, 212,

213

I 65-68266-62 Ep. 151

L -66 Ep. 423-

464, 483-489, 591-516

522-541, 546-576

L -67 Ep. 347-

354, 342-344, 376, 378

MAR 10 1969

SEARCH SLIP

Subj: Stepka, Otto Inel

Supervisor _____ Room _____

R# 65 Date 3-10 Searcher Initial 211

Prod. _____ II

FILE NUMBER

SERIAL

otto J.

<u>✓</u>	<u>65-68266 - 68 p. 765</u>
<u>✓</u>	<u>-69 p. 587</u>
<u>✓</u>	<u>-71 p. 951-</u>
	<u>969, 974-975, 1003-1009;</u>
<u>✓</u>	<u>-73 p. 1143</u>
<u>✓</u>	<u>-76</u>
<u>✓</u>	<u>-79</u>
<u>✓</u>	<u>-81 p. 1699-</u>
	<u>1806</u>
<u>✓</u>	<u>140-22779 - 402 p. 30</u>
<u>✓</u>	<u>62-39749 - 3147 p.</u>
	<u>1235, 1236</u>
<u>✓</u>	<u>-3030</u>
<u>✓</u>	<u>-2942 p. 1782,</u>
	<u>1795, 1796, 1799, 1800, 1809,</u>
	<u>1810, 1825, 1834, 1836, 1840,</u>
	<u>1841,</u>
<u>✓</u>	<u>-2231 p. 1709</u>
	<u>1711, 1738, 1746, 1760, 1744,</u>
	<u>1759, 1762, 1765, 1766, 1768,</u>
	<u>1770</u>

SEARCH SLIP

Subj: Stephan Otto Fred

Supervisor _____ Room _____

R# 62 Date 3-10 Searcher Initial 211

Prod. _____

FILE NUMBER

SERIAL

140-22779-A NO EVENING STAR
00-9-63

65-68266-74 Ep. 1325
-75p. 1247

62-39749-313 9X Ep.

65-68266-79
212, 213

62-39749-2845

62-109658-3 Ep. 1

65-65122-224

140-22779-A EVENING STAR
(9-29-63)

157-1704-17

157-1704-17

157-1704-17

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b7D

THE WHITE HOUSE
Washington

MEMORANDUM

DATE March 10, 1969

TO : Mr. Cartha D. DeLoach, FBI
FROM : John D. Ehrlichman
SUBJECT : FBI Investigation

Subject's Name OTEPKA, OTTO FRED
Date of Birth 5/6/15 Place of Birth Chicago, Illinois
Present Address Silver Springs, Maryland

Egil Krogh has requested:

 Copy of Previous Report

 X Name Check

 Full Field Investigation

The person named above is being considered for:

 White House staff position

 Presidential appointment

 X Position with another Agency

ATTACHMENTS:

 SF 86 (in duplicate)

 SF 87, Fingerprint Card

 Biography

REMARKS:

REPORT SHOULD BE DELIVERED BY FBI TO: JOHN D. EHRLICHMAN

1 - Mr. W. J. McDonnell

SAC, WFO (65-8038)

1/25/71

ST 104
REC-129
Director, FBI (65-68266) - 98

OTTO F. CIEPKA
ESPIONAGE - X

Reurlet 1/14/71.

Authority granted your office to destroy the 90
pages of reproduced copies of material recovered from the
trash of subject's office, such material having no evidentiary
value.

WJM:cal
(4)

NOTE:

Prosecution against subject was declined by the
Department of Justice 3/18/64 and, therefore, above-mentioned
reproduced copies as furnished by State Department have no
continuing value.

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Tavel _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

6-33
54 FEB 2 1971

MAIL ROOM ☐ TELETYPE UNIT ☐

17 FEB 25 1971

UNITED STATES GOVERNMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-16-2011 BY 60324UCBAW/SB/CMW

Memorandum

TO : DIRECTOR, FBI (65-68266)

DATE: 1/14/71

FROM : SAC, WFO (65-9038) (C)

SUBJECT: OTTO F. OTEPKA
ESPIONAGE - X
(OO:WFO)

ReWFO airtel to Bureau, 7/23/63, reporting interview of [redacted] Special Assistant for Personnel Security, U.S. Department of State (USDS), during which [redacted] advised USDS had maintained coverage of classified trash of subject's office. On this date [redacted] furnished 90 pages of reproduced copies of material recovered from trash coverage of subject's office, subject matter of which was outlined in reWFO airtel.

Report of SA ROBERT C. BYRNES, 8/23/63, at WDC, reported results of WFO interview of subject in which he admitted having furnished Senate Subcommittee on Internal Security a 39-page memorandum with 13 exhibits involving numerous USDS documents.

REQUEST OF BUREAU

Since this matter has been adjudicated, with Department of Justice having declined prosecution as of 3/18/64, and since material recovered from subject's trash appears to have no further value, Bureau authority is requested for WFO to destroy the 90 pages of reproduced copies of material recovered from trash of subject's office.

2- Bureau
1- WFO

JCC:kvn
(3)

REC-49

EX-112

65-68266-98

JAN 14 1971

NAT. INT. SEC.



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

WA...17

FBI NEW YORK

4-33 PM URGENT 3-27-69 WPK

TO DIRECTOR (PLAINTEXT)

ATTENTION DOMESTIC INTELLIGENCE DIVISION

FROM NEW YORK 2P

SUBVERSIVE ACTIVITIES CONTROL BOARD; OTTO QTEPKA,
INFORMATION CONCERNING.

[REDACTED]
[REDACTED] AND A SOURCE WELL KNOWN TO THE
BUREAU, FURNISHED THE FOLLOWING UNVERIFIED AND UNSUB-
STANTIATED INFORMATION TO SA ROBERT E. FARRELLY ON
THREE, TWENTY SEVEN, SIXTY NINE:

[REDACTED] ADVISED THAT [REDACTED]
[REDACTED] WISCONSIN, HAD
RECENTLY SPOKEN TO [REDACTED]
[REDACTED] ILLINOIS, TELEPHONE
NUMBER [REDACTED]

[REDACTED] HAD ADVISED THAT [REDACTED]
[REDACTED] AT THE PENTAGON WAS
PRESENTLY WORKING OUT OF THE OFFICE OF SENATOR WILLIAM
PROXMIRE (D-WISC.) AND WITH PEOPLE FROM SENATOR
PROXMIRE'S OFFICE, IN A DOUBLE PROGED ATTACK

END PAGE ONE

MR. DELOACH FOR THE DIRECTOR

79 APR 17 1969

APR 8 1969

NOT RECORDED
202 APR 10 1969

ORIGINAL FILED IN 100-272571-5903

PAGE TWO

AGAINST THE SUBVERSIVE ACTIVITIES CONTROLS BOARD AND OTTO OTEPKA WITH THE ULTIMATE PURPOSE OF DISCREDITING PRESIDENT RICHARD NIXON. [REDACTED]

[REDACTED] IS ATTEMPTING TO LOCATE PEOPLE WHO CONTRIBUTED TO THE DEFENSE OF OTEPKA AND THROUGH THESE PEOPLE, DISCREDIT OTEPKA AND THE SACB. [REDACTED] FIRST NAME UNKNOWN) (FNU) [REDACTED] OF CHICAGO WAS REPORTEDLY CONTACTED BY [REDACTED] WAS REPORTEDLY TO HAVE SAID THAT THEY ARE GOING TO MAKE ANOTHER "GENERAL WALKER CASE" OUT OF THIS.

[REDACTED] DESIRED THAT THE BUREAU BE ADVISED THAT INFORMATION CONCERNING [REDACTED] AND A QUOTE FROM HIS TALK RECENTLY IN NEW YORK AT THE NEW YORK HILTON, [REDACTED] WAS CONTAINED IN THE CURRENT ISSUE OF "BARRONS", DATED THREE, TWENTY FOUR, SIXTY NINE. [REDACTED] .NOTED THAT THIS

END PAGE TWO

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b7C
b7D

b6
b7C
b7D

PAGE THREE

ARTICLE WAS ON PAGE TWELVE, AND INCLUDING [REDACTED]

CLOSING REMARK, [REDACTED]
[REDACTED]

b6
b7C

END

WA.....NSM

FBI WASH DC

✓ npr

See NY airtel
and LHM
WHD

b6
b7C

CC- MR. SULLIVAN

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale

DATE: 3/21/69

FROM : W. V. Cleveland

SUBJECT: MAURICE BERNARD MITCHELL
AND OTTO F. OTEPKA

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

On 3/21/69 [redacted] Executive Assistant to the Deputy Attorney General, telephonically requested copies of results of our previous investigations of Maurice Bernard Mitchell and Otto F. Otepka. He stated Mitchell has been nominated for appointment to the U.S. Civil Rights Commission and Otepka has been nominated for appointment to the Subversive Activities Control Board. He said he desired this information for Senator Eastland, who is Chairman of the Senate Committee on the Judiciary.

We investigated Maurice Bernard Mitchell in October, 1968, at which time he was under consideration for appointment to the U.S. Civil Rights Commission. The investigation showed that Mitchell at that time was Chancellor of the University of Denver and our inquiries were favorable. Otto F. Otepka is the controversial former State Department employee who while testifying before the Senate Internal Security Subcommittee in 1963 allegedly furnished State Department documents to that subcommittee. As a result he was severely admonished and removed from his position at the State Department. The only investigation conducted was an Espionage and Theft of Government Property investigation conducted at the request of the Department of Justice in connection with the aforementioned incident. Detailed results of those investigations have previously been furnished to the Department.

ACTION:

The Office of the Deputy Attorney General is being furnished a copy of our summary memorandum containing the results of our 1968 investigation of Mitchell. It is also being advised that the only investigation we conducted concerning Otepka has already been furnished to the Department.

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Sullivan
- 1 - Mr. Gale

- 1 - Mr. Cleveland
- 1 - Mr. Egan
- 1 - Mr. Connell

JFC:jmm
(8)

51 APR 7 1969

30 MAR 26 1969

ORIGINAL FILED IN 161-5748-44



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
March 28, 1969

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b7C

[REDACTED]

NY T-1, who has furnished reliable information in the past, on March 27, 1969, furnished the following unverified and unsubstantiated information.

NY T-1 had been told recently that [REDACTED] at the Pentagon, was presently working out of the office of Senator William Proxmire (D-Wisc.), and with people from Senator Proxmire's office, in a double pronged attack against the Subversive Activities Control Board (SACB) and Otto Otepka, with the ultimate purpose of discrediting President Richard Nixon. [REDACTED]

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b7D

[REDACTED] is attempting to locate people who contributed to the defense of Otepka and, through these people, discredit Otepka and the SACB. A Mr. (First Name Unknown) [REDACTED] of Chicago was reportedly contacted by [REDACTED] and [REDACTED] was reportedly to have said that they are going to make another [REDACTED] out of this.

NY T-1 referred to the publication "Barrons" issue of March 24, 1969, where on page 12, [REDACTED] recently at the "Peace in Asia Conference" in the New York Hilton Hotel. The article written by [REDACTED] closing remark, [REDACTED]

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b7C
b7D

ENCLOSURE

65-68266

0-19 (Rev. 7-12-71)

Letters to the Editor

A-18 Otepka Replies to Rowan

SIR: In the interest of fairness and accuracy, I respectfully request that you publish the following in order to correct statements made about me by Carl T. Rowan in his column of July 25.

Mr. Rowan said: "Otepka was fired by the State Department for leaking secret documents to senators known to share his right-wing sentiments."

The fact is that I have never been fired, dismissed or discharged by the State Department for any reason whatsoever. I entered on duty in the Subversive Activities Control Board on June 30, 1969, by transfer from the State Department without any break in service. My position at the time of my transfer from the department was management analyst. I originally entered the government service in 1936.

I did not leak, slip, or otherwise slyly or secretly convey any documents to any senator and I was not charged by the department with any such offense.

Along with other State Department personnel I was formally requested to appear before the Senate Internal Security subcommittee and asked to testify under oath concerning security procedures. After I was duly informed that the testimony of my superiors was in material conflict with mine and in derogation of my performance, I provided the subcommittee with two, and only two, so-called classified documents to support my testimony.

I was never a volunteer witness before any congressional committee but testified at all times on written request and with the knowledge and permission of my superiors.

In common with certain other journalists when writing about me, Mr. Rowan consistently omits from his columns the fact that my testimony proved that my superiors lied under oath. Because of their false testimony one superior was required to resign and another was reassigned to other duties. One subordinate was also required to resign because of his false statements. It was not I who was dismissed but those who did not tell the truth.

Mr. Rowan also wrote: "The Senate has yet to confirm Otepka, who is a sort of Daniel Ellsberg in reverse."

There isn't the slightest resemblance of my actions to those of Mr. Ellsberg. I did not furnish any classified document to any newspaper nor did I make any classified information public. As a government official, I appeared in a closed session of the Senate Internal Security subcommittee, an authorized functionary of the United States government, and provided relevant documents on its request while testifying under oath.

I am proud that I fulfilled my sworn obligation to United States government authorities by availing myself of the opportunity given me to testify before Congress. I am equally proud, as is my family, that I resisted the State Department's attempts to dismiss me because of my testimony. In the process I was compelled to endure five years of isolation in a tiny room during which all sorts of unbelievable tactics were used to thwart my determined appeals to obtain justice through the administrative procedures of that government agency. I refused all inducements to resign.

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*I am glad that
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My personal life has been influenced by my family in a philosophy which is now rejected by many modern philosophers. It is in the tradition of the ancient Greeks who said: "He who so loves truth will not care to return evil for evil; he will think it better to suffer injustice than to do it; he will go forth by sea and land to seek after men who are incorruptible; whose acquaintance is beyond price."

Otto F. Otepka,
Member,

Subversive Activities Control Board.

SIR: Carl Rowan stated that "Otepka is a sort of Ellsburg." This is like saying that policemen and criminals are similar because they both carry guns. Rowan made other highly questionable statements. He said that Otepka was fired. He neglects to add that Otepka appealed the State Department action and won his appeal.

Otepka did turn over to a Senate committee investigating charges of subversion in government documents (none of which was Secret or Top Secret). He did so only after his original sworn testimony was disputed by State Department spokesmen and the committee led him to furnish proof substantiating his charges.

Abraham H. Kalish,
Executive Secretary,
Accuracy in Media, Inc.

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W. J. [Signature]

UPI-133

(INTERNAL SECURITY)

DALLAS--ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE SAID TODAY A STATE DEPARTMENT SECURITY OFFICER MAY LOSE HIS JOB BECAUSE HE "COLLABORATED" WITH THE SUBCOMMITTEE AND GAVE IT INFORMATION.

ROBERT MORRIS SAID OTTO OTEPKA, CHIEF OF THE EVALUT
 ROBERT MORRIS SAID OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF THE DEPARTMENT'S SECURITY OFFICE, HAD BEEN GIVEN 10 DAYS TO ANSWER CHARGES HE GAVE CLASSIFIED INFORMATION TO THE INTERNAL SECURITY SUBCOMMITTEE.

MORRIS WAS CHIEF COUNSEL TO THE SAME SUBCOMMITTEE FROM 1951 TO 1953, AND AGAIN FROM 1956 TO 1958.

"MR. OTEPKA'S OFFENSE SEEMS TO BE COLLABORATING--NOT WITH COMMUNISTS, WHOM OUR DIPLOMATS ARE EMBRACING--BUT WITH DUTIFUL SECURITY OFFICERS WHO ARE TRYING TO KEEP THEIR APPOINTED ROUNDS IN THE TRADITIONAL FASHION," MORRIS SAID.

THE CHARGES BROUGHT AGAINST OTEPKA, MORRIS SAID, INCLUDE ACCUSATIONS HE GAVE MATERIAL MARKED "CONFIDENTIAL" AND "FOR OFFICIAL USE ONLY" TO J.G. SOURWINE, SUBCOMMITTEE CHIEF COUNSEL.

"THE CLASSIFICATIONS IN BOTH THE INSTANCES CHARGED WERE APPLIED BY MR. OTEPKA HIMSELF," MORRIS SAID.

"BOTH THESE CLASSIFICATIONS ARE RELATIVELY LOW. WHEN I WAS CHIEF COUNSEL TO THE SAME SUBCOMMITTEE, I HAD TOP SECRET CLEARANCE."

MORRIS SAID OTEPKA'S DESK AND BURN-BASKET, WHERE CLASSIFIED MATERIAL IS THROWN TO BE BURNED, WERE RANSACKED, AND OTEPKA WAS "SUBJECTED TO AN EXTENSIVE PERSONAL INVESTIGATION."

MORRIS CALLED THE CHARGES A "TRAVESTY OF JUSTICE", AND SAID THE SENATE "SHOULD STAND UP FOR ITS RIGHTS. IN COOPERATING WITH THE MR. SOURWINE AS CHARGED, MR. OTEPKA WAS STANDING UP FOR THE SENATE ITSELF."

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E/B

W. J. Phillips
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UPI-23

(SECURITY)

WASHINGTON--THE STATE DEPARTMENT IS ATTEMPTING TO FIRE ONE OF ITS SECURITY OFFICERS, REPORTEDLY FOR GIVING CONFIDENTIAL INFORMATION TO A SENATE COMMITTEE WITHOUT AUTHORIZATION FROM HIS SUPERIORS.

STATE DEPARTMENT SPOKESMEN SAID A "LETTER OF CHARGES" WAS GIVEN MONDAY TO OTTO F. OTEPKA, 48, CHIEF OF THE EVALUATIONS DIVISION OF THE DEPARTMENT'S SECURITY OFFICE. THE DIVISION DEALS WITH PERSONNEL SECURITY.

ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE, SAID IN DALLAS YESTERDAY THAT OTEPKA WAS ACCUSED OF GIVING DOCUMENTS MARKED "CONFIDENTIAL" AND "FOR OFFICIAL USE ONLY" TO J. G. SOURWINE, THE SUBCOMMITTEE'S PRESENT CHIEF COUNSEL.

REPLYING TO MORRIS' STATEMENT, STATE DEPARTMENT SPOKESMEN SAID OTEPKA HAD BEEN GIVEN 10 DAYS TO ANSWER THE CHARGES OR FACE DISMISSAL. THEY WOULD NOT SAY WHETHER THE CHARGES HAD ANYTHING TO DO WITH THE SUBCOMMITTEE.

THE DEPARTMENT DOES NOT MAKE PUBLIC CHARGES AGAINST EMPLOYEES JN2 SAID PRESS OFFICER RICHARD I. PHILLIPS.

THE SUBCOMMITTEE HAS BEEN INVESTIGATING VARIOUS SECTIONS OF THE STATE DEPARTMENT, INCLUDING ITS SECURITY, PASSPORT AND VISA OPERATIONS. OTEPKA HAS APPEARED AS A WITNESS NUMEROUS TIMES IN RESPONSE TO COMMITTEE REQUESTS AND WITH APPROVAL OF THE STATE DEPARTMENT.

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State Dept. Security Aide Accused

Associated Press

The State Department yesterday said that a letter containing charges of a nature that could lead to discharge in 30 days, has been given to Otto F. Otepka, chief of the Division of Evaluations in the Department's Office of Security.

The department said the 48-year-old security investigator was given 10 days, expiring Oct. 3, to answer the charges.

Press officer Richard I. Phillips refused to be more specific, saying it was standard practice not to reveal such administrative charges. But in Dallas, Robert Morris, former chief counsel of the Senate Internal Security subcommittee, said he had heard that the essence of the charges is that Otepka "collaborated" with the present chief counsel of the subcommittee, J. G. Sourwine.

Morris said the charges "include giving 'confidential' and 'for official use only' information to the chief counsel. Both of these classifications are relatively low and in fact were inserted on the information by Otepka himself . . .

"Otepka's burn-basket was ransacked, his desk searched, and he himself subjected to extensive investigation. Thus

today's offense seems to be collaboration not with Communists but with dutiful security officers . . ."

Morris now is president of the Defenders of American Liberty, a Dallas-based organization.

Sen. James O. Eastland (D-Miss.), the subcommittee chairman, said he knew nothing about the matter, but that the subcommittee was interested and would look into it.

Sourwine said, "If the charge is as Morris stated, then the charge won't hold water," and that he failed to

see how any breach of security was involved.

Otepka has served as chief of the Security Evaluations Office for personnel for 10 years. The job pays \$16,000 a year.

Earlier this year, Otepka and other State Department security officers appeared before the Internal Security Subcommittee in connection with the case of career diplomat William A. Wieland, a State Department desk officer on Cuban affairs at the time of Fidel Castro's rise to power.

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Storm Brews on Charges Facing State Security Aide

By the Associated Press

A storm seems to be brewing over administrative charges filed against Otto F. Otepka, chief of the Division of Evaluation in the State Department's Office of Security.

A department spokesman said the 48-year-old Otepka had until October 3 to reply to charges which could lead to his discharge. He refused to say what the charges are.

Robert Morris, former chief counsel of the Senate Internal Security Subcommittee, said in Dallas last night that he had heard that the essence of the charges is that Mr. Otepka "collaborated" with the present chief counsel of the Internal Security Subcommittee, J. G. Sourwine.

Mr. Sourwine said that if that is the basis "then the charge won't hold water."

Mr. Morris said he had heard that Mr. Otepka has been accused of disclosing secret information to the Senate.

Mr. Morris said the charges brought against Mr. Otepka "include giving 'Confidential' and 'For Official Use Only' information to the chief counsel. Both of these classifications are relatively low and in fact were inserted on the information by Mr. Otepka himself."

Early in the year, Mr. Otepka and other State Department security officers testified before the subcommittee during an investigation of William A. Wieland, career diplomat and desk officer on Cuban affairs during Fidel Castro's rise to power.

Mr. Morris called the charges "a travesty of justice."

"If Mr. Otepka collaborated

with Sourwine, he collaborated with the United States Senate itself," he said. "This should not be considered a crime."

Mr. Morris said that "Mr. Otepka's burn-basket was ransacked, his desk searched, and he himself subjected to extensive investigation. Thus today's offense seems to be collaboration not with Communists but with dutiful security officers who are trying to keep their appointed rounds in traditional fashion."

Mr. Morris now is president of the Defenders of American Liberty, a Dallas-based organization.

He said the charges against Mr. Otepka "reflect the direction in which our Nation is moving today in the face of growing Soviet power. . . . For being reasonably co-operative with this sacred arm of Congress, he (Mr. Otepka) is now up on charges that could lead to his dismissal from service."

Senator Eastland, Democrat of Mississippi, chairman of the subcommittee, said the group would look into the situation.

Senator Keating, Republican of New York, a subcommittee member, said he didn't know what the charges were but would think the subcommittee would like to find out.

"If he's charged with misuse of documents affecting the security of our country, that's one thing," Senator Keating said. "But if it involves documents that reflect on other officials of the department, that's another thing."

"If it is the latter, the committee would certainly want to look into it further. But I don't know."

Given Two Special Jobs

Mr. Phillips said Mr. Otepka remains chief of the division of evaluation in the Office of Security, but since June 27 has been detailed to two special projects. These are updating of the Office of Security Handbook and preparation of guidelines for the security evaluation of personnel.

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State Department officials said that there is no question of a conflict existing between the State Department and congressional committees in testimony given in response to committee questions.

There were indications, however, that the Department considered the volunteering of unauthorized information to congressional investigators to be a breach of the right of executive privilege that amounts to insubordination.

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Under executive privilege, a Federal agency can withhold certain information from Congress if it feels that the disclosure of such information would hamper the executive from carrying out his duties.

Called Personal Action

In refusing to make public the charges against Mr. Otepka, the State Department said this is considered a personal action between an employer and an employee.

The employee has a right not to be tried in public by press release unless he chooses to make public the charges against him himself, the department said.

It was emphasized that no

one in the State Department had disclosed the charges against Mr. Otepka.

Mr. Otepka can appeal any decision for his ouster to the State Department's deputy director of personnel, Harvey R. Wellman. As a veteran, he can also appeal directly to the Civil Service Commission.

Mr. Otepka is a graduate of Catholic University. He was a former investigator for the Bureau of Internal Revenue, a technical consultant for the Civil Service Commission and went to work for the State Department on June 15, 1953.

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UPI-79

(SECURITY)

WASHINGTON--REP. H. R. GROSS, R-IOWA, SAID TODAY THE STATE DEPARTMENT WAS GUILTY OF AN "OUTRAGE" IN PRESSING CHARGES AGAINST AN OFFICIAL FOR ALLEGEDLY PASSING CONFIDENTIAL DOCUMENTS TO THE SENATE INTERNAL SECURITY SUBCOMMITTEE WITHOUT DEPARTMENT AUTHORIZATION.

GROSS, A MEMBER OF THE HOUSE FOREIGN AFFAIRS COMMITTEE, TOLD THE HOUSE IN A SPEECH THAT THE DEPARTMENT APPARENTLY WAS TRYING TO PASS OTTO F. OTEPKA, CHIEF OF THE SECURITY INFORMATION EVALUATIONS DIVISION.

GROSS SAID IT WAS ANOTHER INSTANCE OF THE EXECUTIVE BRANCH DENYING CONGRESS INFORMATION TO WHICH IT WAS ENTITLED.

HE SAID HE HAD DEMANDED IN A LETTER THAT SECRETARY RUSK EXPLAIN THE ACTION AGAINST OTEPKA AND GIVE HIM "THE NAMES OF ALL THE PRINCIPALS INVOLVED."

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UPI-219

(SECURITY)

WASHINGTON--A STATE DEPARTMENT SECURITY OFFICER FACES DISMISSAL ON CHARGES THAT HE GAVE CLASSIFIED INFORMATION ON DEPARTMENT "LOYALTY" MATTERS TO SENATE INVESTIGATORS, IT WAS DISCLOSED TODAY BY HIS ATTORNEY.

A COPY OF A STATE DEPARTMENT LETTER LISTING 13 CHARGES AGAINST OTTO F. OTEPKA, HEAD OF THE EVALUATION DIVISION OF THE DEPARTMENT'S SECURITY OFFICE, WAS RELEASED BY LINTON M. COLLINS, A MEMBER OF THE LAW FIRM REPRESENTING OTEPKA.

THREE OF THE CHARGES ACCUSED OTEPKA OF CONDUCT "UNBECOMING AN OFFICER OF THE DEPARTMENT OF STATE" BY GIVING CLASSIFIED DOCUMENTS CONCERNING "THE LOYALTY OF EMPLOYEES OR PROSPECTIVE EMPLOYEES" OF THE DEPARTMENT TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

THE LETTER SAID THIS VIOLATED A MARCH 13, 1948, DIRECTIVE BY FORMER PRESIDENT HARRY TRUMAN ORDERING FILES OF THE GOVERNMENT'S LOYALTY PROGRAMS TO BE KEPT CONFIDENTIAL--EVEN FROM CONGRESS--TO PROTECT INDIVIDUALS. THE TRUMAN ORDER IS STILL IN EFFECT, STATE DEPARTMENT OFFICIALS SAID.

EIGHT OF THE CHARGES ACCUSED OTEPKA OF "DECLASSIFYING" AND "MUTILATING" FOUR GOVERNMENT DOCUMENTS BY SNIPPING OFF THE CLASSIFIED LABELS WITHOUT FOLLOWING DECLASSIFICATION PROCEDURES.

THE LETTER SAID ONE OF THESE WAS A DOCUMENT MARKED "CONFIDENTIAL" DATED JANUARY 30, 1963, ADDRESSED TO PRESIDENTIAL ASSISTANT MCGEORGE BUNDY AND SIGNED BY WILLIAM H. BRUBECK, THEN STATE DEPARTMENT EXECUTIVE SECRETARY.

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WASHINGTON CAPITAL NEWS SERVICE

THE LETTER SAID THREE OTHER CLIPPED DOCUMENTS WERE AN INTERNAL STATE DEPARTMENT MEMO ENTITLED "SECURITY MEETING," A DOCUMENT DEALING WITH SECURITY "EVALUATIVE SERVICES" AND A THIRD INTERNAL MEMORANDUM CONCERNING "THE PROCEDURE FOR REVIEWING AND DISPOSING OF ADVERSE INFORMATION ON EMPLOYEES OF INTERNATIONAL ORGANIZATIONS DEALING WITH INTER-AMERICAN AFFAIRS."

THE LETTER CHARGED THAT CLASSIFIED LABELS FROM THE DOCUMENTS WERE RECOVERED BY SECURITY OFFICIALS FROM OTEPKA'S "BURN BAG," A PAPER-BAG USED BY GOVERNMENT OFFICERS TO SEND WASTE PAPER WHICH MIGHT CONTAIN SECRETS TO THE INCINERATOR.

TWO OTHER CHARGES ACCUSED OTEPKA OF PREPARING LISTS OF QUESTIONS FOR SOURVINE TO USE IN INTERROGATING TWO DEPARTMENT EMPLOYEES.

ONE OF THEM WAS JOHN F. REILLY, STATE DEPARTMENT SECURITY CHIEF, WHO IS OTEPKA'S BOSS.

"THIS IS A BREACH OF THE STANDARD CONDUCT EXPECTED OF AN OFFICER OF THE DEPARTMENT OF STATE," THE LETTER SAID.

IN RELEASING THE LETTER OF CHARGES, COLLINS SAID HE HAD NO COMMENT TO MAKE AT THIS TIME ON THE CASE. OTEPKA HAS UNTIL OCT. 13 TO FORMALLY ANSWER THE CHARGES.

THE STATE DEPARTMENT SAID LAST WEEK IT HAD FILED A LETTER OF CHARGES AGAINST OTEPKA BUT THAT ITS POLICY WAS NOT TO MAKE PUBLIC CHARGES AGAINST EMPLOYEES.

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Otepka Case

The showdown which is shaping up between the State Department and the Senate Judiciary Committee, or rather its subcommittee on Internal Security, is both necessary and desirable. For the issues are of highest importance.

What is involved here is a seeming collision between the undoubted right of the State Department to maintain proper security procedures within the department and the equally undeniable right of the Senate (and the public) to know whether sloppy State Department procedures have been endangering national security.

The department has preferred charges which could lead to the dismissal of Otto F. Otepka, chief of State's security evaluations division. These charges were developed after such spy-thriller techniques as searching Mr. Otepka's "burn basket," reading the imprint on his carbon paper, deciphering used typewriter ribbons, patching together torn up notes, etc. Furthermore, a department official has issued an order forbidding employees to appear before the Senate subcommittee without obtaining advance clearance from State. It is also specified in the order that "this includes contact or interviews with any members of the staff of the subcommittee." This covers a lot of territory.

Naturally, the Senators, or at least those immediately involved, are up in arms. And they should be. For the order to the employees and the action against Mr. Otepka could serve to clamp down the lid on information from the State Department to which the Senate, if not the public, should have access. If this is what is being done, every possible pressure should be brought to bear to stop it.

We find it hard to believe, however, that Secretary Rusk would condone any such activity. It runs counter to his nature, and he is too sensible. Nevertheless, it is good that the Senate has called upon him to testify and that he has agreed to do so. The issue comes down to a question of just what Mr. Otepka was doing. The typewriter ribbons, the used carbon paper and the rest should tell the story.

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Otepka Says Truth Put Job in Peril

By Willard Edwards
Chicago Tribune Press Service

A veteran State Department security officer charged yesterday that he was facing dismissal because he told the truth when questioned by Senate investigators.

Otto F. Otepka, chief of the division of evaluations, Bureau of Security and Consular Affairs, filed a formal reply to charges accusing him of conduct unbecoming a State Department officer.

"I hold that when one is called upon to speak, he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence," he declared.

Otepka expects to be ousted Oct. 23. He then is expected to ask the Civil Service Commission for a hearing, which must be given him.

In his lengthy reply, Otepka reviewed the case that has made him the central figure in a clash between the State Department and the Senate Judiciary Committee over security rules in the Department. The Department claims Otepka acted improperly in providing the subcommittee with suggested questions to be put to other department officials.

President Kennedy said last week that Secretary of State Dean Rusk was ready to testify. The Committee, which has been seeking Rusk as a witness since July, had just received a letter from him asserting his unwillingness to testify until he was provided with all the evidence, including private papers and memoranda, gathered in an inquiry into security procedures in his Department.

Another letter was sent to Rusk, noting the President's statement and renewing the demand that he appear as a witness.

Otepka's defense statement noted that the Secretary in 1961 had taken action identical to that for which Otepka faces discharge.

Rusk permitted Sen. Thomas J. Dodd (D-Conn.), Vice Chairman of the Senate Internal Security Subcommittee, to examine "certain documents in confidence" in connection with the case involving William W. Wieland, a State Department officer.

If Rusk could disclose documents from Wieland's security file to the Internal Security Subcommittee, why was it improper for Otepka to disclose two comparatively "innocuous" memorandums to the same Subcommittee, Otepka asked.

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Otepka Says Charges Have No Foundation

By EARL H. VOSS
Staff Writer

Otto F. Otepka, chief security-risk evaluator in the State Department, has declared that charges against him of violating security regulations should be thrown out.

Mr. Otepka was notified September 23 of charges that he improperly passed information on security and loyalty risks to the Senate Internal Security Subcommittee.

He said yesterday that all 13 charges against him are

"without foundation" and should be dismissed.

He also charged that his office was bugged with a secret listening device and that "my desk and my safe have been surreptitiously opened and searched."

In a 12-page letter, Mr. Otepka also charged that his immediate superior, John F. Reilly, Deputy Assistant Secretary of State for Security, had "seriously disparaged my performance of duty and impugned my integrity."

Differ on Appointed Data

Mr. Reilly, according to Mr. Otepka's letter, testified before the Internal Security Subcommittee that there was no substantial derogatory information respecting appointees to the Advisory Committee on International Organizations. Mr. Otepka earlier had testified he prepared memoranda for Mr. Reilly warning about security questions with respect to some of the appointees. He said he recommended strongly that the appointees should not be cleared without further investigation.

Mr. Otepka denied flatly eight State Department charges that he had clipped or mutilated classified documents.

"I did not clip the documents in question," Mr. Otepka wrote, "I was not responsible for the clipping, directly or indirectly. I do not know who did it, or why, or who placed the clippings in my burn bag—assuming that they were there. In short, I had absolutely nothing to do with clipping these papers, and know nothing about it."

The department did not charge him with personally doing the clipping but with responsibility for the clipping.

Sees "Guilt by Association"

In its September 23 letter, the department recounted how secretaries and other associates in his office had collected the contents of his burn bag, for disposition of classified materi-

al, and carried them to other security officers.

Mr. Otepka accused the State Department yesterday of apparently relying on "the theory of guilt by association with my burn bag." Other officers might have put their trash in his bag, he suggested, and State Department denial of permission for him to examine the burn bag's contents is "puzzling."

It was especially puzzling, he said, since the Department of State allowed John Stewart Service, involved in a security-risk case in the 1950s, to examine all documents and papers prepared by him or connected with his missions, which might be material to his defense.

Unfair, He Charges

The State Department has acknowledged, Mr. Otepka reported, that two charges that he breached "the standard of conduct expected of an officer of the Department of State" were not based on alleged violations of a specific department regulation.

"It thus appears," Mr. Otepka commented, "that my conduct is to be judged under some vague and amorphous standard, setting out no objec-

tive guidelines, but existing only in the minds of my superiors and subject to change according to their notions or whims of the moment. Such a standard, I submit, does not meet the fundamental requirements of fairness and due process, nor does a charge based upon such a standard fulfill those requirements."

Mr. Otepka raised the issue of executive privilege by quoting a statute encouraging civil service employees to furnish information to Congress. His accusers had cited an executive order forbidding transmission outside the Executive Branch of information on security and loyalty risks.

Violation Possible

"If the provisions of the (executive) directive are construed to prohibit disclosure by me of the memoranda here involved," Mr. Otepka wrote, "under the circumstances of this case, then I submit the directive is in violation of the statute."

He acknowledged providing memoranda marked "confidential" to J. G. Sourwine, chief counsel of the Senate Internal Security Subcommittee, but contended the information was

"innocuous" and did not pass damaging security or loyalty-risk information.

In addition, he quoted a Senate report indicating Secretary of State Rusk himself had showed documents on the security-risk case of William Wieland, an expert on Cuban affairs, to Democratic Senator Dodd of Connecticut, vice chairman of the Senate International Security Subcommittee.

Defends Conduct

Mr. Otepka concluded his letter with a strong defense of his conduct, which he said was based on "honesty and integrity." He quoted a 1958 concurrent resolution of the House of Representatives calling on all persons in Government service to put loyalty to the highest moral principles and to country above loyalty to persons, party or Government department.

"I hold," he wrote, "that when one is called upon to speak he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence. I believe that every man has the

right to defend himself against false accusations. . . . I believe now that I would have been derelict in my duty, if by my silence I had permitted untrue and inaccurate statements, of which I had personal knowledge, to remain unchallenged in the committee record, or if I had otherwise failed to give the committee my full co-operation in its search for the truth."

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The Otepka Case'

Your editorial on "The Otepka Case" leads me to believe that you, like most of the uninformed American public, just don't have all the facts. Please don't think I am saying this to criticize your very fine newspaper; my criticism is with the present White House policy of withholding news, slanting news and, in general, trying to control what used to be the "free press."

Has anyone really reported what happened at the time of the Castro takeover in Cuba or why the Bay of Pigs invasion was such a dismal failure or where the American forces were while the Communists built the Berlin Wall? Or doesn't the American public have a need to know?

Fortunately, in "The Otepka Case" there is a U. S. Government Printing Office report on the subcommittee hearing. It is titled, "Committee Print, State Dept. Security, Case of William Wieland, New Passport Regulations, the Office of Security, Number 87265, Eighty-Seventh Congress." Having read this report, I would advise you to get a copy if they are still available. Then perhaps you will see that the issue is not just what Mr. Otepka was doing, but what a fine job he and others like him have been doing for many years and what the State Department is now trying to do to him, the U. S. Senate and the American public.

Myra Finkel.

Gladland
C. Otepka
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Otto F. Otepka

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State Department, Congress to Clash Anew on Security

By Murray Marder
Staff Reporter

A bureaucratic guerrilla war that has roots a decade old deep in Washington's paper jungle, is due for a clouded airing on Capitol Hill this week.

The battleground is familiar enough: the historic contest between the Legislative and Executive branches over what Government witnesses can say, or slip, to Congress.

Current protagonists are the State Department and the Senate Internal Security Subcommittee. Each maintains it is not spoiling for an open fight; but each acknowledges

that the momentum of events may produce one.

There is a little bit of everything in this struggle.

It includes echoes of what was called, in the McCarthy era, the "loyal American underground"; recurring charges that State is "soft" on communism; cloak-and-dagger tactics used at the State Department for counter-sleuthing against a security officer suspected of working for the other side (the Senate Subcommittee); disputes about passports for Communists, and lots of bad bureaucratic blood.

Secretary of State Dean Rusk is probably the Kennedy Administration Cabinet

officer least itching for a chance to shoot anything out with Congress.

But on Monday, Rusk is expected to go before the Internal Security Subcommittee, in closed session, to discuss its charge that the State Department deliberately has been withholding more than 20 witnesses, from testifying about security practices in State.

Many State Department officials privately contend that the underlying issue is whether the Secretary of State runs the State Department.

Otepka Accused

The most publicized topic in the struggle is the recent State Department charges against State security evaluator Otto F. Otepka. He is accused of covertly passing to the Subcommittee information on loyalty cases, and classified documents, from the State Department's records, as well as supplying the Subcommittee with questions to be aimed at his superiors.

But the dispute goes back to a 1952 event.

The Immigration Act of 1952 created in the State Department a Bureau of Security and Consular Affairs. The bureau, among other things, was intended by the late Rep. Francis E. Walter (D-Pa.) and the late Sen. Pat McCarran (D-Nev.) to tighten State Department security practices.

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The Bureau's first Administrator, Scott McLeod, former FBI agent and assistant to the late Sen. Styles Bridges (R-N.H.), set out to "clean up" the State Department. The Bureau virtually became an outpost of Congressional security head-hunters in the days when the late Sen. Joseph R. McCarthy (R-Wis.) was riding high.

McLeod Aide Promoted

McLeod maintained direct relations with like-minded members of Congress. His special assistant was Frances G. Knight, a bureaucratic veteran, who in 1955 became chief of the Department's Passport Office.

Miss Knight developed a highly efficient, streamlined, quick-service passport operation. She also ran a very independent operation that led to a sword's-point relationship with the Kennedy Administration's ideas on security, especially those of her official superior, Abba P. Schwartz, now head of the Bureau.

The State Department sought to regain total control of its own security supervisors, many of whom retained the special, unofficial links that McLeod had with Senate security investigators. The struggle continued after the security office was split off from Schwartz's domain, with his full agreement.

Last year, the Internal Security Subcommittee, headed by Sen. James O. Eastland (D-Miss.) charged that there were "glaring security deficiencies" in the State Department. It claimed that "the accent in State is so heavily upon protecting the individual that security needs tend to be subordinated..."

With Miss Knight as the chief witness against her own department, the Subcommittee assailed State's new passport procedure as a boon to Communists, because it gave accused persons the right to confront their accusers and allowed issuance of passports if the accusers were not produced. State contended that was the only proper interpretation of Supreme Court rulings. The battle continues.

The Subcommittee pressed its investigation early this year to check on State's com-

pliance with its critical security recommendations.

Miss Knight is reported to have testified in secret without prior knowledge of the State Department. (Earlier this month, a Subcommittee letter to Rusk, warning against removing her from her Passport Office post was leaked to the press.)

By August, the Subcommittee had asked for more than 20 witnesses. Rusk stepped in and privately tried to work out a compromise with Eastland and Subcommittee Vice Chairman Thomas J. Dodd (D-Conn.) Rusk wished to establish some ground rules so that State would be told what its employees were testifying. He did not succeed.

Last month, portions of the tug-of-war reached the headlines with the filing of charges against Otepka, a witness in the closed hearings the year before and earlier this year.

Charges Unusual

The charges, filed on Sept. 23, were quite unusual.

They showed that John F. Reilly, Deputy Assistant Secretary for Security, set up a system for secretly obtaining the contents of Otepka's office "burn bag," for the disposal of classified papers intended to be burned. By piecing together fragments, and by reconstructing messages on carbon paper and on typewriter ribbons, the counter-sleuths aimed a series of security accusations at Otepka.

He was charged, in brief, with supplying to Jay G. Sourwine, chief counsel of the Subcommittee, loyalty information, classified documents,

and instructions to be used in interrogating another State employee.

Otepka was accused of violating a 1948 order by President Truman on handling loyalty-security information, State Department regulations and standards, and a Federal statute barring the "mutilation" of documents.

Otepka, in reply last week, cited 27 years of Federal employment with many "excellent" efficiency ratings.

Denies Charges

He denied clipping or mutilating any documents. He said State apparently was invoking "guilt by association" because other persons in the same office could put their trash in his, or two other, "burn bags."

Otepka admitted giving Sourwine several documents in question, but he described them as "completely innocuous" reports, submitted "to assist the Committee in developing the truth..."

He also countercharged the Department with what he termed his "reason to believe" that listening devices were used to eavesdrop on conversations in his office and that his telephone was tapped and his desk and safe searched.

But the brunt of Otepka's defense was this: the claim of a "higher loyalty" in Government service to the highest moral principles, rising above, as he quoted a House Code of Ethics, "loyalty to persons, party or Government department."

McCarthy Raised Issue

The last time that issue was raised with public prominence, it was raised by Sen. McCarthy in sweeping form.

In the Army-McCarthy hearings of 1954, the Senator called on all Federal employees to supply him with any information about "graft, corruption, communism, treason,"

without regard to any "rubber stamp" placed on documents by Federal officials.

The Senate's Select Committee that recommended the censure of McCarthy, warned that this call could mean "disruption" of the processes of government. But the Committee chose to drop the issue as a censure charge, giving him the benefit of the doubt, on grounds that McCarthy's invitation could have been construed as calling for the supply of only unclassified information "of wrongdoing," without violation of law.

This is the touchiest kind of subject for any committee of Congress, anxious to preserve the widest form of Congressional investigating power. It is an issue that never has been fully resolved. Apart from the question of Otepka's fate in the State Department proceedings aimed at his removal, it remains to be seen whether the Executive and Legislative branches will meet, or skirt it now.

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Rusk Gives Pledge on Witnesses

Staff Reporter

An expected row between Secretary of State Dean Rusk and the Senate Internal Security Subcommittee over the Senators' right to obtain information from Rusk's aides failed to materialize yesterday.

Rusk and the subcommittee met face to face in closed session in the case of Otto F. Otepka, whom the State Department is firing as its chief evaluator of personnel security risks. The Department has accused Otepka of violating regulations by slipping copies of some secret documents to the subcommittee.

Sen. Thomas J. Dodd (D-Conn.), the subcommittee's acting chairman, told newsmen "there was no row" during the two-hour meeting with Rusk. Rusk made no comment.

One upshot of the conference, Dodd said, was agreement by the Secretary that members of his staff "will be permitted to appear and testify" before the subcommittee at mutually convenient times.

Dodd said the conference produced no indication, however, that Rusk would drop charges against Otepka. He said the Secretary pointed to a difference between testimony and unauthorized use of classified documents.

Sen. John Tower (R-Texas) has been quoted as predicting a "rather bitter struggle" between the State Department and Congress over the right of congressional groups to investigate the Department's security program.

Dodd, however, said this first conference with Rusk was friendly, and that Rusk will meet again with the subcommittee to discuss more details. Dodd announced no date for the next meeting but said it probably will not be until after the dismissal of Otepka which is scheduled to take effect Wednesday. Otepka is appealing from the dismissal.

Dodd later released a statement declaring "I would consider it a great tragedy if the services of this exceptionally able and experienced security officer (Otepka) were lost to the United States Government on the basis of alleged technical violations growing out of his cooperation with the subcommittee."

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Administration Relaxes Stand in Otepka Case

By EARL H. VOSS
Star Staff Writer

Secretary of State Rusk's Conciliatory attitude toward the Senate Internal Security Subcommittee has raised hopes on Capitol Hill for greater co-operation by the Executive Branch in the probe of State Department security procedures.

Otto F. Otepka, chief security-risk evaluator for the department, who was scheduled to be suspended today without pay, now is reported by officials to stand a good chance of continuing on the payroll throughout discharge procedures instituted against him one month ago.

The State Department -re action to Mr. Otepka's defense against 13 charges of misconduct is expected some time this week.

According to some reports the charges may be watered down, some may dropped or all

of them may be replaced by a simple charge of insubordination.

Ban Lifted

In Secretary Rusk's meeting with the subcommittee Monday, he agreed to provide other witnesses the subcommittee requested.

Other officials disclosed today that the ban on Security Office employees' contacts with the Internal Security Subcommittee

has been lifted. Employees of the Bureau of Security and Consular Affairs still are not permitted to contact the subcommittee without permission, the sources said. This prohibition will continue until an investigation of the bureau, ordered by Director Abba Schwartz, has been completed.

Mr. Rusk did not receive copies of testimony taken earlier by the subcommittee from State Department witnesses in closed session as he had requested.

Passport Chief Backed

All eight Senators of the subcommittee who attended Monday's meeting with the Secretary—four Democrats and four Republicans—also spoke in support of Miss Frances Knight, passport office chief. Mr. Rusk himself said he regarded her as extremely efficient.

The subcommittee, in a letter to Mr. Rusk last month, protested proposals to transfer her

out of the passport office. The letter said the transfer would be tantamount to a State Department reprisal for her critical testimony against new passport regulations she contends make it easier for American Communists to travel abroad.

At least one Senator's office gained the impression at the Monday meeting that Mr. Rusk was sufficiently impressed that he will drop whatever plans existed to move Miss Knight.

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Otepka on Payroll During Appeal

Associated Press

Otto F. Otepka, the State Department security officer charged with giving classified documents to the Senate Internal Security Subcommittee, will remain on the State Department payroll until his appeal is processed, informed sources said yesterday.

The informants said Otepka's reply to the charges has been considered by the Department's Bureau of Personnel.

The charges against Otepka

were filed Sept. 23, and the 30-day notice of dismissal expired yesterday. The State Department, informants said, will tell Otepka the 30-day period has been extended indefinitely, pending final action on the appeal.

Meanwhile, informants said, Otepka may continue to work on a security handbook, a job to which he was assigned last summer. When the charges were first brought against him, he was taken off his job

as chief security risk evaluator in the Department.

Officials said Otepka is not likely to get the final appeal ruling for some time.

The reason is that the State Department's reply will be "cleared very high up," an informant said. President Kennedy, asked about the Otepka case at his news conference Oct. 9, said he would examine the issue himself, "when it comes time to take any disciplinary action, if such a time does come."

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Otepka Fired by State; Senate Probers Protest



Associated Press.

OTTO F. OTEPKA
... fired by State Dept.

By Vincent J. Burke
The Los Angeles Times

Otto F. Otepka, 48, one of the State Department's top security officers, was fired yesterday for giving confidential Department information to the Senate subcommittee on internal security.

The decision, presumably made with White House approval, was promptly denounced by Sen. Thomas J. Dodd (D-Conn.), a member of the subcommittee. Dodd said he would ask Sen. James Eastland (D-Miss.) to call an "emergency meeting" of the Senate's Judiciary Committee "to consider the implications." Eastland is chairman of both the subcommittee and its parent, the Judiciary Committee.

Under regular procedures Otepka will continue to collect his \$16,900 a year

salary until the Department disposes of his expected appeal. Otepka could carry the fight for his job to the Civil Service Commission, for which he once worked, and, ultimately, to the courts.

Appeals Planned

"We'll take every available appeal," Otepka's lawyer, Roger Robb, told a reporter.

Since the first year of the Eisenhower Administration, Otepka has served as chief of the division which evaluates State Department personnel to insure that none are security risks.

The Eastland subcommittee has been critical of the Department's security procedures.

Otepka was charged by the State Department on Sept. 23 with "declassifying" confidential documents and with preparing questions for J. G. Sourwine, the subcommittee's chief counsel, to ask State Department witnesses in a security case before the subcommittee.

Disputed Superior

In a 12-page reply, Otepka acknowledged that he had supplied the subcommittee with confidential Department information. But he insisted that he had not violated the "spirit" of security regulations.

Otepka's reply added that he prepared a memorandum for Sourwine, including "exhibits" from Department files, after his Department superior, John F. Reilly, gave testimony to the subcommittee which "I knew to be incorrect."

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Moreover, he said, he met with Sourwine after working hours to discuss alleged "conflicts" in Reilly's testimony relating to the subcommittee's inquiry into the security evaluation of William A. Wieland, another Department employee.

Wieland was accused by the subcommittee last year of lacking "integrity and general suitability" for his role in the intelligence assessment of Cuba's Premier Fidel Castro. Wieland, who is still on the Department payroll, was defended by President Kennedy.

Two weeks ago Secretary of State Dean Rusk was questioned by Eastland's subcommittee at a closed door hearing about the reasons for the Department's actions against Otepka. Eastland said after the hearing that "the powers of Congress are at stake" and that he intended "to protect Otepka by every means at my command."

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Otepka Planning to Fight For Reinstatement to Job

Otto F. Otepka, the State Department's chief security risk evaluator who was dismissed yesterday, plans to exhaust every avenue of appeal, including one to the Supreme Court, necessary, to achieve reinstatement.

He is charged with having passed privileged information to the Senate Internal Security Subcommittee on security and loyalty cases in the State Department. He also is charged with having mutilated classified documents relating to security matters.

He denied all the charges October 14.

Mr. Otepka's lawyer, Roger Robb, indicated today he intends to begin appeal procedures in the State Department within the 10-day time limit set.



OTTO F. OTEPKA

AP Photo

Can Choose Examiner

Mr. Otepka will be permitted to choose among a group of nominees the State Department hearing examiner who will listen to his defense.

The examiner's decision will go to higher echelons in the State Department and eventually Mr. Otepka can also appeal to the Civil Service Commission.

During the appeal procedure inside the executive branch, Mr. Otepka will continue to be paid,

although he is suspended from his duties as chief security-risk evaluator.

President Kennedy has promised that both he and Secretary of State Rusk will review the Otepka case before he is finally removed from the payroll.

The State Department letter of dismissal yesterday rejected Mr. Otepka's categorical denial that he had cut classification markings from documents on security risk cases. The State

Department letter said all others having access to Mr. Otepka's trash bag had denied clipping the documents.

Statement on Otepka

Press Officer Robert McCloskey issued this statement on the Otepka case yesterday:

"The Department today conveyed to Otto F. Otepka, chief of the Division of Evaluations, Office of Security, its decision to remove him from his appointment, based on charges presented to him on September 23.

"In a letter signed by John Ordway, chief of the Personnel Operations Division, Office of Personnel, the Department, after careful consideration of Mr. Otepka's response of October 14, sustained the charges set forth in its letter of September 23.

"Mr. Otepka was advised that he has the right to appeal within 10 days to the Department's Assistant Secretary for Administration—Dwight J. Porter—and that a decision on his appeal will be made only after review of the matter by the Secretary.

"Further, Mr. Otepka may also appeal to the Civil Service Commission, either from an adverse decision on his appeal within the Department, or in lieu of an appeal within the Department, and the President has stated that he will review the matter before any final decision.

"Mr. Otepka may also seek ultimate review in the courts. He will not be removed from the Department's payroll pending disposition of any appeal he chooses to make within the Department."

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Wiretap Issue Is Raised in Otepka Case

By EARL H. VOSS
Star Staff Writer

Wiretapping and three officials' allegedly false denials that it occurred have become a focal point in the row between the State Department and the Senate over the dismissal of Otto F. Otepka.

Mr. Otepka, chief security-risk evaluator of the State Department, was notified Tuesday of his dismissal for passing information on security risk cases to the Senate Internal Security Subcommittee. He plans to appeal the department decision.

Mr. Otepka denied all 13 charges against him earlier and counter-charged that his telephone has been tapped.

Senator Dodd, Democrat of Connecticut, has raised the possibility that other State Department officials had lied about the wiretapping in the Otepka case.

"Certain people" in the State Department, he said, had installed a tap on Mr. Otepka's telephone.

Cites Proof of Wiretaps

"Although a State Department official has denied under oath that this was done," Senator Dodd said in a Senate speech Tuesday, "the Subcommittee on Internal Security Affairs has proof that the tap was installed."

At another point Senator Dodd said: "We know the Department of State tapped Mr. Otepka's telephone, but an employee of the Department of State came to our subcommittee, and, under oath, said that the telephone had not been tapped—which was an untruth. That is the man who ought to be subject to charges. When employees of the Government come before a congressional committee and either make willful misstatements or tell untruths under oath, I believe that dismissal charges should be passed against them."

"But up to the present hour the man who has been dismissed is the man who told the truth, and so far as I know, the man who told the untruth has not been moved against."

Three officials reportedly denied existence of the wiretap in executive session testimony before the subcommittee. One of them was a superior of Mr. Otepka, another was the superior's assistant and the third was an electronics engineer.

U.S. Law on Intercepted Data

Section 605 of the Federal Communications Act provides that "no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person."

The Justice Department interprets this to mean that executive department agencies do not violate the laws so long as the information obtained in wire tapping is kept inside the Government.

American Civil Liberties Union lawyers are looking into Senator Dodd's wiretapping charges in the Otepka case. If they find wiretapping did occur, they may file a brief on Mr. Otepka's behalf asking that no evidence obtained by wiretapping be used in adjudication procedures.

The State Judiciary Committee is expected to meet soon to consider what action it can take on Mr. Otepka's behalf.

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Executive vs. Legislative Power

Showdown Is Nearing In Otepka Dismissal

By Murrey Marder
Staff Reporter

Both sides are reeling from heavy salvos fired in the bureaucratic war between the State Department and the Senate Internal Security Subcommittee over the Otto F. Otepka case.

No one can be sure how many casualties and powder burns there will be before the smoke clears away.

But what began as a skirmish over congressional testimony of State Department employees, is now a showdown between the Executive and Legislative branches of government.

President Kennedy is known to be personally concerned about the affair. It could have major and political consequences for his Administration.

The State Department confirmed yesterday that two officials have been placed on "administrative leave" after acknowledging that an eavesdropping "bug" was briefly placed last March in the office of security evaluator Otepka.

Otepka at the time was suspected of slipping information to the Subcommittee Counsel, J. G. Sourwine. Last Tuesday, Otepka was dismissed by the Department.

to rights of Otepka, after being under suspension since Sept. 23.

Leaves Ordered

By "mutual consent," State Department officials said yesterday, leave has been ordered for Deputy Assistant Secretary of State for Security John F. Reilly, and the chief of Reilly's Division of Technical Services, Elmer D. Hill.

Their leave will continue, the Department spokesman said, "while we are looking into" the affair.

Sen. Thomas J. Dodd (D-Conn.), vice chairman of the Senate Subcommittee, said yesterday, "This is a shocking matter." He said three officials of the State Department admitted, "in effect, that they lied under oath to a Senate committee . . ." Dodd said "These are the fellows the State Department should prefer charges against, not Otepka."

Meeting on Tuesday

Dodd said a meeting of the Subcommittee's parent body, the Senate Judiciary Committee, is scheduled Tuesday, to consider the Otepka case and related matters.

The three officials he said should be charged were Reilly, Hill, and David I. Belisle, special assistant to Reilly. Belisle has stated he was in Costa Rica when a listening device was placed in Otepka's office. Last July, first Hill, then Belisle and Reilly, denied any knowledge of the installation of the device. Last Wednesday, all sent statements to the Subcommittee, revising their testi-

mony. He helped install the listening device at Reilly's request to test its effectiveness, but it proved inadequate and was removed after a test. Next day, said Reilly, the contents of a "bag of Mr. Otepka's trash . . . revealed that Mr. Otepka had furnished certain material to Mr. Sourwine."

Dispute an Old One

Behind the whole affair is a running dispute between the Department and the Internal Security Subcommittee that has roots in the loyalty-security head-hunting days of the late Sen. Joseph R. McCarthy (R-Wis.).

Subcommittee charges that the State Department was "soft" on loyalty-security cases publicly veered into the Otepka affair last September. Otepka, among other things, was charged with leaking to the Subcommittee information from loyalty files that can be released only with personal approval by the President, because of the damaging character of such information.

Otepka, in his defense, claimed a "higher loyalty," to tell the truth, overriding the "letter" of any regulations.

Several Senators on the Subcommittee publicly and privately warned the State Department against proceeding with the Otepka charges. Dodd

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called Otepka "the last old-line ~~Security~~ officer holding a top position in the Office of Security."

Last Tuesday, the State Department sustained all its original charges, dismissing Otepka from his \$16,900-a-year post. He has until next Friday to file an appeal.

Dismissal Deplored

That same day, Tuesday, Dodd took the Senate floor to deplore Otepka's dismissal. He served public notice that the Subcommittee had evidence of "wilful misstatements" or "untruths" under oath about placement of a listening device in Otepka's office. Next day, the Hill, Reilly, Belisle statements were submitted to the Subcommittee.

The difficulty now confronting Hill and Reilly in the Department is not the use of a listening device, but the contradictions in their testimony.

Reilly is a career Government employe, who previously served in the internal security division of the Justice Department. But Hill, who was first to testify in the affair, and whose testimony was backed up by Reilly, his superior, is a newcomer to Government. He came to the Department about a year ago as an electrical engineer at the Stanford Research Center in California.

Executive Autonomy

For all of Senator Dodd's sputtering, he must know that what Otto F. Otepka did was not only unlawful but unconscionable as well. Mr. Otepka certainly knew this himself—which is no doubt why he did it covertly instead of candidly. He gave classified information to someone not authorized to receive it. And he prepared a list of questions to help a Senate subcommittee trip his superior in the State Department. No one can be surprised that the State Department does not want to keep him any longer in a position of trust.

It really does not matter that the recipient of the information he disclosed was an employee of the Senate. He had no authority to give it. If the Senate Internal Security Subcommittee felt a need for classified material in the State Department, its proper course was to summon the Secretary of State and ask him for it. If any underling in the State Department were free at his own discretion to disclose confidential cables or if any agent of the Federal Bureau of Investigation could leak the contents of secret files whenever he felt like it, the Executive branch of the Government would have no security at all.

Senator Eastland, chairman of the Subcommittee, has said that "the powers of Congress are at stake" and that he intends "to protect Mr. Otepka by every means at my command." All that the State Department has done is to fire an insubordinate employee. Its power to do so is fixed by the Constitution and was recognized as long ago as the very first Congress. The Congress has power, of course, to fix qualifications for employment in the Executive branch and to prescribe procedures for hearing and review in dismissals. It has done so in the civil service acts, and those procedures are being followed in Mr. Otepka's case. Indeed, he can, and may, go to court about the matter.

Without authority to fire subordinates in the Executive branch, the President would be powerless to fulfill his constitutional responsibility to "take care that the Laws be faithfully executed." Congress no more possesses the power to reinstate Mr. Otepka as an employee of the State Department than the President possesses power to remove Mr. J. G. Sourwine as counsel of the Senate Internal Security Subcommittee.

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DAVID LAWRENCE

A Blot on Security Clearance

Otepka Case Considered a Challenge To Statutes on Petitioning Congress

Senator Thomas J. Dodd, Democrat of Connecticut, has achieved a reputation for independent thinking. When he says that the Department of State, in dismissing its director of security, used methods that are highly questionable, the country naturally becomes interested, especially since Mr. Dodd himself at one time served in the Federal Bureau of Investigation under J. Edgar Hoover.

The Connecticut Senator told the Senate on Tuesday, November 5, that a "serious challenge to responsible government" occurred when Otto Otepka was dismissed by the State Department simply because he had "testified honestly before the Senate Subcommittee on Internal Security on matters relating to security in the Department of State." He quoted the existing statutes which say that "the right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any member thereof, or to furnish information to either house of Congress or to any committee or member thereof, shall not be denied or interfered with."

Senator Dodd declared that, by its action in the Otepka case, the State Department "has, in effect, nullified this statute" and has issued a warning "to all employees that co-operation with the established committees of the Senate, if this co-operation involves testimony considered unpalatable at higher echelon, is a crime punishable by dismissal."

Then came a sensational development. The Senate Internal Security Subcommittee released on November 9 letters filed by three State Department officials asking that the record of their testimony be amended and conceding that an eavesdropping device had been placed on the telephone wire in Mr. Otepka's office. Senator R. L. Hruska, Republican of Nebraska, thereupon demanded that the State

Department consider dismissing the three men who, he said, had misled the Senate. Immediately after Mr. Hruska's statement, two of the same three men—who have been the principal accusers of Mr. Otepka—were placed on "administrative leave" for the time being by the State Department.

Senator Dodd, in his initial speech, pointed out that the significance of the Otepka case "cannot be overstated" and added:

"Mr. Otepka was the last old-line security officer holding a top position in the Office of Security. He has been an employee of the United States Government for 27 years. He has served as deputy director of the Office of Security and officer in charge of evaluations. His efficiency ratings have always been 'excellent.' In 1958 he received the meritorious service award from Secretary of State John Foster Dulles. But suddenly, for some strange reason, certain people in the department decided that Mr. Otepka had to go.

"And so, they began first, to restrict his functions. Then they installed a tap on his telephone. Although a State Department official has denied under oath that this was done, the Subcommittee on Internal Security has proof that the tap was installed. Then they began to monitor Mr. Otepka's burn basket. Then they locked him out of his office and denied him access to his files, although no charge had yet been brought against him.

"No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humiliation. But Mr. Otepka was not suspected of disloyalty or espionage. He was suspected very simply of co-operating with the Senate Subcommittee on Internal Security and of providing it with information that some of his superiors found embarrassing or objectionable."

In many respects this is more important than the alleged scandals that are being

investigated on Capitol Hill in domestic affairs, for the whole question of giving security clearance to individuals employed in the Department of State now has been raised in a sensational manner. Senator Dodd concluded:

"If the dismissal of Mr. Otepka is permitted to stand, it will become impossible or exceedingly difficult to elicit any information from employees of the executive branch that bears on disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors."

The Department of State has not made public its detailed reasons for the dismissal of Mr. Otepka, nor has it given a satisfactory explanation to the Senate Internal Security subcommittee. But wherever the question of security arises, Congress is naturally on the alert. For there have been too many instances in which employees in the executive branch of the Government have been given security clearance and later turned out to be indiscreet in passing out to friends and acquaintances information which eventually reached the Communist side.

In a vast organization of employees such as the Federal Government maintains today, it is natural that there should be instances of questionable security. But the system which the Department of State has for years maintained is one that has created in Congress confidence in its procedures. The Otepka case has shaken that confidence. And the fact that the current fight for better security is being led by a Northern Democrat, who himself is an expert in security matters, is accepted by other Senators as an indication that the problem is being handled by the Senate in a wholly nonpartisan way.

The administration has the responsibility of answering to the Senate and to the public just why the methods complained of by Senator Dodd were used to remove a competent official from the delicate and difficult post of handling security matters in the Department of State.

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NOV-11 1963

Today in National Affairs**The Dagger in the Cloak
—And Mr. Otepka's Back**

By David Lawrence

WASHINGTON.

Sen. Thomas J. Dodd, D., Conn., has achieved a reputation for independent thinking. When he says that the Department of State, in dismissing its Director of Security, used methods that are highly questionable, the country naturally becomes interested, especially since Mr. Dodd himself at one time served in the Federal Bureau of Investigation under J. Edgar Hoover.

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"the right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress, or any member thereof, or to furnish information to either house of Congress or to any committee or member thereof, shall not be denied or interfered with."

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(OTEPKA)

WASHINGTON--SENATE GOP LEADER EVERETT M. DIRKSEN SAID TODAY TWO STATE DEPARTMENT SECURITY OFFICERS ACCUSED OF TELLING "UNTRUTHS" TO A SENATE SUBCOMMITTEE WILL HAVE A CHANCE TO TESTIFY UNDER OATH AGAIN THURSDAY.

THE ILLINOIS REPUBLICAN SAID THE SENATE INTERNAL SECURITY SUBCOMMITTEE OF WHICH HE IS A MEMBER WILL HEAR JOHN F. REILLY, DEPUTY ASSISTANT SECRETARY OF STATE FOR SECURITY, AND DAVID I. BELISLE, REILLY'S SPECIAL ASSISTANT FOR PERSONNEL SECURITY. SUBCOMMITTEE MEMBERS CHARGED BOTH WITH BEING "LESS THAN TRUTHFUL" IN AT FIRST DENYING AND LATER ACKNOWLEDGING THAT OTEPKA'S TELEPHONE HAD BEEN TAMPERED WITH.

THE STATE DEPARTMENT HAS PLACED REILLY AND ELMER D. HILL, A SECURITY DIVISION CHIEF, ON "ADMINISTRATIVE LEAVE" BECAUSE OF THE CONTRADICTIONS IN THEIR TESTIMONY ON THE "BUGGING" INCIDENT.

THE SUBCOMMITTEE STAFF UNDER CHIEF COUNSEL J. G. SOURWINE SAID THAT UNDER SUBCOMMITTEE RULES, IT COULD NOT CONFIRM THE THURSDAY HEARING. DIRKSEN SAID THE WHOLE OTEPKA CASE WAS DISCUSSED AT LENGTH AT TODAY'S SENATE POLICY MEETING OF ALL REPUBLICAN SENATORS.

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Discord at State

IT sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a Senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up, he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as Dodd of Connecticut and Eastland of Mississippi, consider the case a test of the powers of Congress as opposed to the executive powers of the President. This recurring conflict provides the case with added drama.

Senator Dodd demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least

two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by Civil Service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with Civil Service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an unco-operative Government employe to hold on to his job.

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3 in State Dept. Change Stories On Trying to Bug Otepka Phone

By James E. Clayton
Staff Reporter

Sen. Roman L. Hruska (R-Neb.) said yesterday that the State Department should consider firing three men who, he claimed, misled a Senate committee during its investigation into the case of Otto F. Otepka.

The three conceded in letters released by the Senate Internal Security subcommittee yesterday that an eavesdropping device was placed briefly in Otepka's office last winter. Hruska said their testimony before the subcommittee last summer about that incident was "less than truthful."

The three are John F. Reilly, Deputy Assistant Secretary of State for Security; David I. Belisle, special assistant to Reilly, and Elmer Dewey Hill, chief of technical services in the State Department's security office.

Hruska's comments and the release of the letters, along with excerpts of earlier testimony by the three men, were the latest twists in the Otepka case.

Fired Earlier

Otepka was dismissed from his job as a security officer earlier this week. Among other things, he was charged with giving confidential information to the Senate subcommittee.

Last Tuesday, Sen. Thomas J. Dodd (D-Conn.) charged that one State Department official had lied under oath when he denied that Otepka's office telephone had been tapped. The next day, the three men sent their new statements to the subcommittee.

Hill said in his statement that he and another State Department employee, Clarence J. Schneider, altered the wiring on Otepka's telephone on March 18. The alterations were designed to turn the telephone into a microphone that would pick up conversations taking place in Otepka's office.

Device Failed

Hill said the effort was unsuccessful because of interference on the line and that conversations were never intercepted.

He said Reilly had asked him to explore the possibility

of eavesdropping on conversations but not on telephone calls. The effort was abandoned, he said, two days later when Reilly told him the evidence being sought against Otepka had been found in his burn basket.

In his testimony on July 9, according to the excerpts, Hill had the following exchange with J. G. Sourwine, committee counsel:

Q. Do you know of any instance where a listening device has been placed in an employee's office?

A. Not to my knowledge.

Q. Are these not normal security measures that in proper circumstances would be indicated and would be taken?

A. I have never engaged in this—in that type of security measure.

New Statement

Reilly said in his new statement that he asked Hill to survey the feasibility of eavesdropping on Otepka's office. He insisted he never authorized the actual interception of any conversations. "Rather," he said, "I desired to know whether this technique could

be used without undue risk of detection in the event that subsequent examination of Mr. Otepka's burned bags continued to reveal nothing of significance."

In the excerpt of his testimony on August 6, Reilly is quoted as saying to Sourwine:

Q. Have any listening devices been installed in his (Otepka's) office?

A. No, sir.

Q. Have any devices or contrivances been installed in or connected with his telephone wires or with a box outside his office so as to activate his telephone so as to make it in a sense a permanent receiving microphone?

A. No, sir.

Belisle had testified on July 29 that he had never been involved in authorizing the placing of a listening device in a State Department office.

In his statement to the subcommittee this week, Belisle said he was in Costa Rica when the events described by the other two men occurred but that Reilly later told him of them. He said he answered Sourwine's questions as he did because he had no firsthand information.

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UPI-69

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT TODAY PLACED ON "ADMINISTRATIVE LEAVE" TWO OF THREE SECURITY OFFICERS CHARGED BY A SENATE SUBCOMMITTEE WITH HAVING TOLD "UNTRUTHS" IN THE OTTO OTEPKA CASE.

THE TWO PLACED ON LEAVE ARE JOHN F. REILLY, DEPUTY ASSISTANT SECRETARY OF STATE FOR SECURITY, AND ELMER DEWEY HILL, ONE OF HIS DIVISION CHIEFS.

THE ACTION CAME AS A MEMBER OF THE INTERNAL SECURITY SUBCOMMITTEE, SEN. ROMAN HRUSKA (R-NEB.), SAID THE STATE DEPARTMENT "AT A MINIMUM" SHOULD CONSIDER FIRING REILLY, HILL AND DAVID I. BELISLE FOR FIRST DENYING AND THEN ACKNOWLEDGING THAT OTEPKA'S TELEPHONE HAD BEEN TAMPERED WITH.

STATE DEPARTMENT OFFICIALS SAID LEAVE FOR REILLY AND HILL, ARRANGED BY "MUTUAL CONSENT," WOULD BEGIN TUESDAY. MONDAY IS A GOVERNMENT HOLIDAY.

THEY WILL REMAIN ON LEAVE "WHILE WE ARE LOOKING INTO" THE AFFAIR, OFFICIALS SADDLED.

THEY SAID THAT WHATEVER THE OUTCOME OF THE REILLY-HILL AFFAIR, IT WOULD NOT AFFECT THE VALIDITY OF THEIR CHARGES ON WHICH THE DISMISSAL OF OTEPKA WAS BASED. OTEPKA IS APPEALING HIS OUSTER.

OFFICIALS PROVIDED NO INFORMATION ON THE STATUS OF BELISLE, REILLY'S SPECIAL ASSISTANT FOR PERSONNEL SECURITY, WHO ALSO IS CHARGED BY THE SUBCOMMITTEE WITH CHANGING HIS TESTIMONY.

BELISLE TOLD THE SUBCOMMITTEE HE FIRST DENIED ANY KNOWLEDGE OF THIS BECAUSE HE WAS OUT OF THE COUNTRY WHEN IT TOOK PLACE AND HE HAD NO "FIRST HAND" INFORMATION ON IT.

THE SUBCOMMITTEE YESTERDAY RELEASED STATEMENTS BY REILLY AND HILL THAT THEY HAD TRIED UNSUCCESSFULLY TO CONVERT OTEPKA'S OFFICE TELEPHONE INTO AN EAVESDROPPING DEVICE WHICH FAILED TO WORK.

THE SUBCOMMITTEE'S RELEASE DISCLOSED THAT HILL, IN TESTIMONY JULY 9, SAID HE HAD NO KNOWLEDGE OF ANYTHING CONCERNING TAPPING OTEPKA'S TELEPHONE. REILLY IN HIS TESTIMONY ALSO DENIED "BUGGING OR TAPPING OR OTHERWISE COMPROMISING TELEPHONES OR PRIVATE CONVERSATIONS" IN THE OFFICE OF OTEPKA OR ANY OTHER STATE DEPARTMENT EMPLOYEE.

BUT LAST WEDNESDAY, REILLY AND HILL FILED NEW STATEMENTS WITH THE SUBCOMMITTEE ACKNOWLEDGING THEIR UNSUCCESSFUL EFFORT TO CONVERT OTEPKA'S TELEPHONE INTO AN EAVESDROPPING DEVICE. THEIR NEW STATEMENTS, WHICH THEY SAID WERE FILED IN ORDER TO PREVENT "MISUNDERSTANDING" AND TO "AVOID A MISLEADING IMPRESSION," CAME ONE DAY AFTER SEN. THOMAS J. DODD, D-CONN., REPORTED THAT THE SUBCOMMITTEE HAD PROOF A STATE DEPARTMENT EMPLOYEE HAD LIED WHEN HE TESTIFIED THAT HE HAD NOT TRIED TO TAPE OTEPKA'S PHONE.

HRUSKA SAID IT WAS "AN AFFRONT TO THE SUBCOMMITTEE AND THE SENATE" FOR REILLY AND HILL TO TRY TO RECONCILE CONTRADICTORY TESTIMONY BY "ASSERTING THEIR LATER STATEMENTS WERE "CLARIFICATIONS" TO "AVOID MIS-UNDERSTANDING."

"THE INESCAPABLE CONCLUSION IS THAT THAT THEY WERE LESS THAN TRUTHFUL IN THEIR ORIGINAL TESTIMONY," HRUSKA SAID.

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Otepka Planning to Fight For Reinstatement to Job

Otto F. Otepka, the State Department's chief security risk evaluator who was dismissed yesterday, plans to exhaust every avenue of appeal, including one to the Supreme Court, necessary, to achieve reinstatement.

He is charged with having passed privileged information to the Senate Internal Security Subcommittee on security and loyalty cases in the State Department. He also is charged with having mutilated classified documents relating to security matters.

He denied all the charges October 14.

Mr. Otepka's lawyer, Roger Robb, indicated today he intends to begin appeal procedures in the State Department within the 10-day time limit set.

Can Choose Examiner

Mr. Otepka will be permitted to choose among a group of nominees the State Department hearing examiner who will listen to his defense.

The examiner's decision will go to higher echelons in the State Department and eventually Mr. Otepka can also appeal to the Civil Service Commission.

During the appeal procedure inside the executive branch, Mr. Otepka will continue to be paid,



OTTO F. OTEPKA

AP Photo

although he is suspended from his duties as chief security-risk evaluator.

President Kennedy has promised that both he and Secretary of State Rusk will review the Otepka case before he is finally removed from the payroll.

The State Department letter of dismissal yesterday rejected Mr. Otepka's categorical denial that he had cut classification markings from documents on security risk cases. The State

Department letter said all others having access to Mr. Otepka's trash bag had denied clipping the documents.

Statement on Otepka

Press Officer Robert McCloskey issued this statement on the Otepka case yesterday:

"The Department today conveyed to Otto F. Otepka, chief of the Division of Evaluations, Office of Security, its decision to remove him from his appointment, based on charges presented to him on September 23.

"In a letter signed by John Ordway, chief of the Personnel Operations Division, Office of Personnel, the Department, after careful consideration of Mr. Otepka's response of October 14, sustained the charges set forth in its letter of September 23.

"Mr. Otepka was advised that he has the right to appeal within 10 days to the Department's Assistant Secretary for Administration—Dwight J. Porter—and that a decision on his appeal will be made only after review of the matter by the Secretary.

"Further, Mr. Otepka may also appeal to the Civil Service Commission, either from an adverse decision on his appeal within the Department, or in lieu of an appeal within the Department, and the President has stated that he will review the matter before any final decision.

"Mr. Otepka may also seek ultimate review in the courts. He will not be removed from the Department's payroll pending disposition of any appeal he chooses to make within the Department."

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Otepka Requests Hearing, Asks Lie Test for Accusers

By EARL H. VOSS

Star Staff Writer

Otto F. Otepka, chief security risk evaluator in the State Department until he was fired November 5, today appealed for a hearing and demanded that his principal accusers in the department submit to lie detector tests.

His boss, Deputy Assistant Secretary of State John F. Reilly, and two other associates in the Office of Security have been accused by Senators of giving misleading testimony about tapping Mr. Otepka's phone.

Mr. Reilly, David I. Belisle and Elmer D. Hill revised their testimony before the Senate Internal Security Subcommittee last Wednesday after having

denied last summer any connection with the tapping of Mr. Otepka's phone.

In his letter notifying the State Department of his desire for a hearing, Mr. Otepka charged that Mr. Reilly, was guilty of "a breach of departmental regulations and a violation of a Federal statute."

Mr. Reilly admitted to the subcommittee last week that he had directed a subordinate to tap Mr. Otepka's telephone but said no conversations were intercepted.

Mr. Otepka said "the case against me was to a large extent built by John F. Reilly, either personally or through others under his immediate direction and control . . . It has now been established that in

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his overzealous attempts to build a case against me, Reilly was guilty of serious misconduct, and that he thereafter testified untruthfully under oath when questioned about his improper activities."

"Unworthy of Belief"

Mr. Reilly and Mr. Hill have been placed on administrative leave with pay while the State Department considers what to do about their reversal of testimony before the subcommittee.

"In view of the circumstances," Mr. Otepka said in his letter of appeal, "I respectfully submit that Reilly and Belisle are unworthy of belief and that any findings against me based upon their testimony or upon evidence produced by them cannot and should not stand.

"I submit further that this entire proceeding is tainted and vitiated by the improper activities and the untruthfulness of these men, so that prosecution of any charges in which they are involved would deny me due process of law."

Mr. Otepka charged that Mr. Reilly "did not act in good faith" in seeking his dismissal.

"On the contrary," Mr. Otepka said, "his action was prompted by personal bias, prejudice and malice and by a desire to punish me for telling the truth to the Senate subcommittee, and thereby embarrassing Mr. Reilly. The purpose of the charges was not to protect the interest of the Government, but rather to shield Mr. Reilly."

Denies Clipping Papers

The demand that his superiors take lie tests came in connection with charges that Mr. Otepka had clipped classification labels from certain documents on security-risk cases.

Mr. Otepka has denied he clipped the documents and also rejected the "insinuation" of the State Department that he had turned over the clipped documents to the chief counsel of the Senate subcommittee, J. G. Sourwine.

"I respectfully suggest that to assist in the resolution of this matter of the clipped docu-

ments all of the individuals who had access to the documents should submit to a polygraph (lie detector) test, to be administered by a competent and impartial examiner," Mr. Otepka said.

"I shall be glad to submit to such a test."

Calls for 36

He asked that 36 State Department employes be made available to the hearing officer

who will take testimony on the Otepka appeal.

Mr. Otepka will continue on the department's payroll throughout the appeal procedures.

Mr. Reilly, Mr. Belisle and Mr. Hill were called to testify today before the Senate subcommittee to expand on their letters of last week acknowledging they were involved in the attaching of an eavesdropping device to Mr. Otepka's telephone.

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Otepka Asks State Review On Dismissal

Associated Press

Otto F. Otepka, former chief security evaluator of the State Department, filed an appeal yesterday against the Department's decision of Nov. 5 dismissing him from the service.

He is accused of furnishing the Senate Internal Security subcommittee with information from confidential employe loyalty files. The material is alleged to have been provided to J. G. Sourwine, subcommittee chief counsel.

The appeal was filed as David I. Belisle, special assistant to John F. Reilly, Deputy Assistant Secretary of State for Security, reportedly insisted at a two-hour, closed meeting of the subcommittee that he did not intend to mislead them by denying last July that he had any knowledge of a listening device being placed in Otepka's office.

Belisle was the first of three State Department officials called by the subcommittee after they acknowledged last week that an eavesdropping device had been installed in Otepka's office, although they said it never was used.

Reilly waited in an adjoining room while Belisle testified and reportedly was told after yesterday's hearing ended to come back Friday. The third official involved is Elmer D. Hill, chief of the division of technical services in Reilly's office.

In his appeal addressed to Dwight Porter, Assistant Secretary for administration, Otepka charged that the case against him was to a large extent built by John F. Reilly. "It has now been established," Otepka continued, "that in his overzealous attempts to build a case against me Reilly was guilty of serious misconduct, and that he thereafter testified untruthfully under oath when questioned about his improper activities."

Otepka's appeal also mentioned Belisle. It said:

"In view of the circumstances I respectfully submit that Reilly and Belisle are unworthy of belief and that any finding against me based upon their testimony or upon evidence produced by them cannot and should not stand."

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Witness Changes Story On Otepka Phone Tap

By EARL H. VOSS
Star Staff Writer

One of the men who admitted trying to tap Otto F. Otepka's phone at the State Department has changed his story a second time.

Now he has told the Senate Internal Security Subcommittee the tap worked, that conversations were recorded and that tapes of the conversations were passed on to superiors.

This was the latest turn in the case of Mr. Otepka, former State Department security-risk evaluator who was fired November 5 for passing information on possible security risk cases to the Senate subcommittee.

Last summer three men in the Office of Security denied to the subcommittee under oath knowledge of any phone tapping in the State Department, Mr. Otepka's or anybody else's.

Two weeks ago, however, they admitted trying to tap Mr. Otepka's phone but claimed they were unsuccessful because of a loud buzzing which jammed the conversations.

Last Monday one of the three men, Elmer D. Hill, who had just resigned as chief of technical services in the Office of Security, told the subcommittee the tap really worked.

John F. Reilly, Deputy Assistant Secretary of State for Security, who also resigned Monday, received the tapes, Mr. Hill testified, and sent them to unnamed superiors.

The third man who first denied knowledge of the phone tapping but later admitted he was told of it is David I. Belisle, special assistant to Mr. Reilly. He has not resigned and is now Acting Deputy Assistant Secretary.

Democratic Senator Dodd of Connecticut, vice chairman of the subcommittee, yesterday promised to present the facts to the public in a few days "in this sordid situation."

J. G. Sourwine, chief counsel of the subcommittee, is believed to have been one of the participants in Mr. Otepka's intercepted telephone conversations.

The Senator said: "As a consequence of recent developments, I am confident that the subcommittee will relentlessly pursue the investigation on which it has now embarked.

"No one, regardless of how high or how low his job, will be exempt or excused in the course of this investigation."

Senator Dodd said it had been his subcommittee's expectation that the three offi-

cials called back to testify recently "would use this opportunity to tell 'the truth, the whole truth, and nothing but the truth,' as they had originally sworn to do."

Instead, he charged, "we were treated to perhaps the most dismal performance any of us had ever witnessed of evasion, double-talk and misrepresentation by high Government officials."

When top officials "come before a Senate committee a second time in an effort to purge themselves of the crime of perjury and then commit further perjury, the situation is intolerable," he said.

The subcommittee yesterday probed another aspect of State Department security procedures by taking secret testimony from Abba P. Schwartz, administrator of the State Department's Bureau of Security and Consular Affairs.

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Otepka Fired by State; Senate Probers Protest



Associated Press

OTTO F. OTEPKA

... fired by State Dept.

By Vincent J. Burke
The Los Angeles Times

Otto F. Otepka, 48, one of the State Department's top security officers, was fired yesterday for giving confidential Department information to the Senate subcommittee on internal security.

The decision, presumably made with White House approval, was promptly denounced by Sen. Thomas J. Dodd (D-Conn.), a member of the subcommittee. Dodd said he would ask Sen. James Eastland (D-Miss.) to call an "emergency meeting" of the Senate's Judiciary Committee "to consider the implications." Eastland is chairman of both the subcommittee and its parent, the Judiciary Committee.

Under regular procedures Otepka will continue to collect his \$16,900 a year

salary until the Department disposes of his expected appeal. Otepka could carry the fight for his job to the Civil Service Commission, for which he once worked, and, ultimately, to the courts.

"We'll take every available appeal," Otepka's lawyer, Roger Robb, told a reporter.

Since the first year of the Eisenhower Administration, Otepka has served as chief of the division which evaluates State Department personnel to insure that none are security risks.

The Eastland subcommittee has been critical of the Department's security procedures.

Otepka was charged by the State Department on Sept. 23 with "declassifying" confidential documents and with preparing questions for J. G. Sourwine, the subcommittee's chief counsel, to ask State Department witnesses in a security case before the subcommittee.

In a 12-page reply, Otepka acknowledged that he had supplied the subcommittee with confidential Department information. But he insisted that he had not violated the "spirit" of security regulations.

Otepka's reply added that he prepared a memorandum for Sourwine, including "exhibits" from Department files, after his Department superior, John F. Reilly, gave testimony to the subcommittee which "I knew to be incorrect."

Moreover, he said, he met with Sourwine after working hours to discuss alleged "con-
Reilly's testimony re-

lating to the subcommittee's inquiry into the security evaluation of William A. Wieland, another Department employee.

Wieland was accused by the subcommittee last year of lacking "integrity and general suitability" for his role in the intelligence assessment of Cuba's Premier Fidel Castro. Wieland, who is still on the Department payroll, was defended by President Kennedy.

Two weeks ago Secretary of State Dean Rusk was questioned by Eastland's subcommittee at a closed door hearing about the reasons for the Department's actions against Otepka. Eastland said after the hearing that "the powers of Congress are at stake" and that he intended "to protect Otepka by every means at my command."

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The Evening Star

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This was the latest turn in the case of Mr. Otepka, former State Department security-risk evaluator who was fired November 5 for passing information on possible security risk cases to the Senate subcommittee.

Last summer three men in the Office of Security denied to the subcommittee under oath knowledge of any phone tapping in the State Department, Mr. Otepka's or anybody else's.

Then Denied Success

Two weeks ago, however, they admitted trying to tap Mr. Otepka's phone but claimed they were unsuccessful because of a loud buzzing which jammed the conversations.

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now Acting Deputy Assistant Secretary.

J. G. Sourwine, chief counsel of the subcommittee, is believed to have been one of the participants in Mr. Otepka's intercepted telephone conversations.

'Sordid,' Dodd Says

Democratic Senator Dodd of Connecticut, vice chairman of the subcommittee, yesterday promised to present the facts to the public in a few days "in this sordid situation."

The Associated Press reported he charged that a top State Department official committed perjury on top of perjury, but did not name the offender.

The subcommittee yesterday probed another aspect of State Department security procedures by taking secret testimony from Abba P. Schwartz, administrator of the State Department's Bureau of Security and Consular Affairs.

Mr. Schwartz reportedly was quizzed about his bureau's policies in granting passports to American Communists.

At the same time it was disclosed that the State Department order preventing employees of the bureau from discussing their work outside the office had been lifted.

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Reilly Admits He Did Not Cooperate Fully With Committee in Otepka Quiz

Associated Press

John F. Reilly, who recently resigned as Deputy Assistant Secretary of State for Security, has denied lying but testified he did not cooperate fully at a Senate Internal Security Subcommittee hearing.

The Subcommittee made the transcript of a Nov. 15 closed hearing public yesterday, in another sequel to the controversy over the dismissal of Otto F. Otepka, a State Department security officer.

Reilly was called before the Subcommittee after admitting in a statement on Nov. 6 that he had ordered a listening device installed on Otepka's telephone last March. He had denied it in sworn testimony to the Subcommittee on Aug. 6.

Although insisting he hadn't lied to the Subcommittee at the Aug. 6 hearing, Reilly acknowledged under questioning by Sens. John L. McClellan (D-Ark.), and Thomas J. Dodd (D-Conn.), that he had not answered questions fully.

"I didn't cooperate as fully as I might have, and as I say,

I apologize, I regret it," Reilly said.

"You are giving highly technical explanations of why you didn't tell the committee the truth," McClellan told him.

The key question at the Aug. 6 hearing was: "Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones of private conversations in the office of an employee of the State Department?" Reilly's answer was, "no, sir."

Reilly's explanation at the Nov. 15 hearing was that although he had a listening device attached to Otepka's telephone, it hadn't worked and had been removed without any conversations being intercepted.

Asked if a telephone is not compromised when a device or connection is used by which conversations may be intercepted by an unauthorized person, Reilly replied:

"Not in my mind, and not as I understood the question that day."

McClellan accused him of

not having testified truthfully, of being evasive and uncooperative and of falling back on technical excuses and alibis. Dodd, who presided, also was caustic in his comments.

The State Department placed Reilly on administrative leave shortly before the Nov. 15 hearing. He resigned last month. Otepka, who was the Department's chief security risk evaluator, has appealed his dismissal. He was ousted on a charge of supplying the Subcommittee's chief counsel, J. G. Sourwine, with confidential information from employee security files.

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Intrigue In Otepka Ouster

By Dom Bonafede
Of The Herald Tribune Staff

WASHINGTON.

Testimony released for today by the Senate Internal Security subcommittee in the Otepka cause celebre portrays a Kafka-like, shadowy web of intrigue within the confines of the State Department.

The testimony centered around that at John F. Reilly, former Deputy Assistant Secretary of State for Security, and his deputy, David I. Belisle, on Nov. 14 and 15.

Under intensive questioning by members of the subcommittee and its chief counsel, J. C. Sourwine, Mr. Reilly conceded that Otto F. Otepka, dismissed chief security evaluations officer, had not committed any departmental offense.

Evidence gathered by Mr. Reilly and Mr. Belisle during an internecline investigation led to Mr. Otepka's removal from office Nov. 5 on charges he circumvented normal department procedure to privately furnish information to Mr. Sourwine.

Together with Elmer D. Hill, ex-chief of the Division of Technical Services, they built a case against Mr. Otepka by collecting discarded papers from his "burn bag," his typewriter ribbons and carbon papers. The data purportedly contained material Mr. Sourwine might employ in the interrogation of State Department officers.

Under Mr. Reilly's direction an attempt was made to convert Mr. Otepka's telephone into a microphone, a listening device in which anything said in the room may be monitored on the outside. This, Mr. Reilly said, is simply accomplished by "repositioning of an existing wire within the telephone instrument."

He said, however, that the scheme "fizzled" and was discontinued after 48 hours.

Mr. Reilly defended his position by maintaining that the measure was taken to test its "feasibility" and that no decision had been made as to whether it would be put into operation.

He conceded investigators tried to monitor the telephone but heard only a humming noise. When sufficient evidence was gathered through other sources, he said, it was decided to abandon the listening device plan.

"And that evening I stood outside Mr. Otepka's office, so that Mr. Hill could go in and disconnect the wire," he told the subcommittee.

In earlier hearings, the three men denied having any information about the tapping of Mr. Otepka's telephone.

At the hearing, the three officials sent a letter to the subcommittee requesting they be given an opportunity to "amplify" their earlier remarks. The letters were written on orders of Secretary of State Dean Rusk, it was disclosed in testimony.

Subsequently, Mr. Reilly and Mr. Hill resigned their posts.

During the hearing Mr. Sourwine remarked: "I am trying to find out if you may have knowledge of any law or departmental regulation which say that the furnishing of questions or the suggestion of questions to a Congressional committee to be asked of another officer of the department is any offense of any kind."

Mr. Reilly—"I think if that person is your superior, yes."

Mr. Sourwine—"I don't care what you think. I want to know if there is a law or regulation, to your knowledge."

Mr. Reilly—"I don't know that there is, Mr. Sourwine."

Mr. Sourwine—"All right. I know there isn't any. I just wanted to know that you knew there wasn't any."

Controversy over the Otepka case, which is reminiscent of the McCarthy era in a degree, runs along several levels and raises many questions: How tightly drawn is the line between the Executive branch and the legislative branch? Are a government employee's rights violated when his phone is tapped during security investigations? Is a government employee's job in jeopardy when he refuses to abide by a department code of ethics in a case involving principle?

Mr. Otepka has claimed he co-operated with Mr. Sourwine because he recognized the subcommittee as a "higher loyalty" than his immediate superiors.

Mr. Reilly told the subcommittee that it might have been misled by his earlier testimony because he considered the questions "in the nature of cross-examination. I answered the questions as I understood them. I did not volunteer anything beyond that."

Later, he commented, "I didn't co-operate as fully as I might have, and as I say, I apologize, I regret it."

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State Dept. Phone Tap: Double Lie?

By Dom Bonafede
Of The Herald Tribune Staff
WASHINGTON.

For the second time, the sworn testimony of John F. Reilly, a former State Department officer involved in the controversial Otepka case, was contradicted in testimony revealed yesterday by the Senate Security subcommittee hearing.

The subcommittee is looking into the removal from office of Otto F. Otepka, chief of the Security Evaluations Section. He was charged by superiors with supplying classified information to the subcommittee's chief counsel, J. G. Sourwine, ostensibly for use against some of his State Department colleagues.

On Aug. 6, Mr. Reilly, then Deputy Assistant Secretary of State for Security, told the subcommittee that during his intradepartmental investigation of Mr. Otepka, he had never "engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department."

Then, on Nov. 6, he asked the subcommittee for an opportunity to "amplify" his remarks. He said, in an attached statement, that he had directed Elmer D. Hill, chief of the Division of Technical Services, "to undertake a survey of the feasibility of intercepting conversation in Mr. Otepka office."

Mr. Hill and his deputy, Clarence J. Schneider, acting on Mr. Reilly's orders, attempted to convert Mr. Otepka's telephone into a microphone for monitoring purposes, he revealed.

But, according to Mr. Reilly's statement, "no conversations were intercepted as a result of the events described above."



Otto F. Otepka

Under questioning by Mr. Sourwine in a Nov. 15 hearing, he was asked:

"Now you can state, from your own knowledge, that nobody ever heard any words over that listening device that you caused to be installed in Mr. Otepka's telephone?"

Mr. Reilly replied, "to my knowledge, no one did."

Throughout the hearing Mr. Reilly denied that Mr. Otepka's telephone had been compromised, a technical term meaning that conversations had been intercepted and divulged.

In the report released yesterday on testimony heard Nov. 18, Mr. Hill told the subcommittee that "a dozen, perhaps more," telephone conversations were recorded and the tape turned over on Mr. Reilly's instructions to "some stranger." The disposition of the tapes and the identity of the "stranger" remain a mystery.

Mr. Hill said he did not know whether Mr. Reilly had listened to the conversations, "but there was one telephone conversation which did seem interesting to him."

He said the call, from what Mr. Reilly later told him, pertained to a luncheon appointment by Mr. Otepka and someone on the subcommittee staff.

He said he was not completely candid during earlier testimony because he felt "an obligation to the department."

Both Mr. Reilly and Mr. Hill resigned after modifying statements made by them during the hearings.

When the Staff

ment has the legal right to tap employees' telephone is unclear. No precedent has been set by a test case.

A subcommittee spokesman said it is operating on the assumption that the department has that right in the pursuit of security investigations. "Also, we feel they can do it since the telephones are not the public property of the employees," the spokesman said.

In security investigations outside the U. S., the department has been known to install taps on private telephones of employees.

An official said yesterday the department presently has no regulations prohibiting the practice.

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Some Cramer Counts Are Denied at State

By the Associated Press

The State Department has accused Representative Cramer, Republican of Florida, of circulating a memorandum full of "distortions, inaccuracies and misleading references" about the department's Security Office.

Among other things the department yesterday denied Mr. Cramer's charges that Secretary Rusk had interfered with normal procedure in the dismissal of Otto F. Otepka, a State Department security officer, or that the department was investigating employees of the Senate Internal Security Subcommittee.

Mr. Cramer introduced into the Congressional Record on Thursday a "confidential memorandum" which he said had come to him from a source that he did not name.

The memorandum said at one point that Deputy Undersecretary William Crockett had told a meeting of State Department security officials on November 19 that Mr. Rusk had declared "we will sweep the place clean" of people not loyal to Mr. Rusk.

Cramer Singled Out Rusk

Mr. Cramer said the memorandum showed that Mr. Rusk actually was the man behind the dismissal of Mr. Otepka, who was ousted on charges of having given information to the Senate committee without authority.

Therefore, Mr. Cramer said, Mr. Rusk "is not in a quasi-judicial position" to review the Otepka case.

The memo, which Mr. Cramer identified as coming from an unimpeachable source, made a number of points about activities in the State Department security section. Today the State Department press office said:

"The memorandum that was the basis for the Congressmen's remarks contains distortions, inaccuracies, and misleading references. . . . This incident, moreover, underlines the problem presented when misleading and distorted information is passed on by sources acting irresponsibly."

"Any suggestion that the Secretary has interfered in the normal administrative procedures in the case is absolutely false."

Press Officer Ben Thirkield said the case referred to was the department's proceeding against Mr. Otepka.

November Meeting Held

Mr. Thirkield said Mr. Crockett did have a meeting with division chiefs of the security office in mid-November.

"He called them together,"

Mr. Thirkield said, "for the purpose of expressing to them the Secretary's confidence in the department's security forces."

In reference to the charge that Mr. Rusk intended to purge the disloyal people and had so been quoted by Mr. Crockett, Mr. Thirkield said: "Mr. Crockett made no refer-

ences to 'sweeping the place clean'."

The Otepka case came up in the meeting only to the extent that Mr. Crockett said it was being pursued in a normal manner, he said.

"The Office of Security is not investigating the employees of the Senate Internal Security Subcommittee."

"The department is not investigating psychological testing 'leaks.'"

"At no time did Mr. Crockett say there is a second underground (that is, a channel of

anti-State Department information to the Capitol) in the Office of Security."

Mr. Thirkield said he could not go beyond the comments he was authorized to make in discussing the complicated case.

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Wiretap Expert Shifts Story Again on Otepka

By EARL H. VOSS
Star Staff Writer

Elmer Dewey Hill, the former State Department wiretap expert who resigned after presenting conflicting testimony about his part in the Otepka case, has given the Senate Internal Security Subcommittee a primer course in clandestine listening at the State Department.

Mr. Hill at first denied any knowledge or involvement in tapping the telephone of Otto Otepka, former chief security risk evaluator for the State Department. Then he wrote a letter to the committee explaining that he had tried to convert the Otepka phone into a listening device but said the attempt failed.

Still later, it was disclosed today, he told the subcommittee that a dozen of Mr. Otepka's telephone conversations were intercepted and recorded over a two-day period, that two tapes containing the 12 calls had been passed to persons unknown.

Mr. Otepka, was fired November 5 for passing privileged information on security cases to the Internal Security Subcommittee. The department's security office obtained part of the evidence for 13 charges against Mr. Otepka by secretly examining the contents of his classified trash bag. Wiretapping was also attempted to get other evidence against him. Mr. Otepka is appealing the dismissal decision.

Other Investigations

Mr. Hill also disclosed in testimony given last November 18, that State Department used listening devices to investigate employees overseas. One was installed in the residence of Irvin Scarbeck, who later was convicted of passing classified information to a Polish girl in Warsaw.

He knew of a half dozen techniques for compromising a telephone, Mr. Hill told the subcommittee. In the Otepka case, he said, the State Department security office was trying to make a telephone pick up and transmit all conversations in Mr. Otepka's office, even when the phone was on its cradle.

Under questioning by J. G. Sourwine, the subcommittee counsel, Mr. Hill acknowledged one could tap a phone by putting a microphone in it, by moving a wire in the earphone to send a current out to a remote place where it would activate a microphone, or by sending a high frequency current into the telephone, "without gimmicking anything in the telephone itself."

Phone Work Explained

Mr. Hill said he had moved a wire in the earphone of the Otepka phone to make it into a "self-generating" microphone.

He said that "over a brief period recordings were made of telephone calls on Mr. Otepka's telephone."

Mr. Hill testified that "a dozen, perhaps more" conversations were recorded and that the tape was turned over, on instructions from his superior, John H. Reilly, to someone he was unable to identify. Mr. Reilly also has resigned.

Mr. Hill acknowledged, under questioning, that concealed microphones are sometimes used to record interviews of persons "who have been suspected of some actions which would, perhaps, be prejudicial to their continuing with the department."

Before joining the State Department, Mr. Hill told the

subcommittee, he had been an electronics expert working on countermeasures against enemy "electronic attack" on American missiles and bombers. He also had worked on protection against "clandestine listening," presumably by foreign powers seeking American secrets.

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Otepka Still on Payroll Despite Firing by State

By the Associated Press

Almost four months ago, the State Department fired Otto F. Otepka, its former chief security evaluator, for insubordination.

Yet Mr. Otepka is still drawing his salary—and will likely remain on the Government payroll for some time.

Though officials at the State Department maintain that the Otepka case is "being pursued in the normal administrative process," they acknowledge that the Johnson administration is reluctant to speed up this process to avoid stepping on sensitive toes in the Senate Internal Security Subcommittee.

Mr. Otepka was suspended September 23, 1963, and charged with conduct "unbecoming an officer of the Department of State" by having allegedly given classified documents to the Senate subcommittee without authorization.

He was dismissed from his \$18,240-a-year post November 5, when the department upheld the charges against him.

The former security officer appealed the dismissal and the State Department, in accordance with Civil Service regulations, gave him a list of six men early in January from which to choose a hearing officer for his case.

Four of the six were foreign service officers and two work for the Agency for International Development. All are equal in rank with Mr. Otepka.

Mr. Otepka objected to the panel, saying he could not expect an impartial hearing from any of the men on the list.

The department rejected his objections, reminding him that he always could appeal outside the department, directly to the Civil Service Commission or to the courts.

Should Mr. Otepka do so, however, he would cease to get his pay. So he answered and repeated his objections against the six men. Mr. Otepka added, however, that should the department insist, he would name Edward A. Drager of the AID office of emergency planning.

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SECURITY EXPERT WAITS QUIETLY FOR HEARING ON OUSTER

It's a Dull, Lonely Life for Otto Otepka

By RICHARD H. BOYCE
Scripps-Howard Staff Writer

Every workday morning Otto F. Otepka, a \$16,900-a-year Government employe, goes to the State Department, and every afternoon he goes home. During the eight hours in between, Mr. Otepka does nothing but read the Congressional Record.

Mr. Otepka is chief of the State Department Security Evaluation Division. But he is not permitted to do the work he is paid for.

He gets no important department mail. In an entire year, he has had only two department phone calls. Fellow workers snub him. He's not invited to office luncheons or department social affairs.

LONELY LIFE

It's a lonely life for Mr. Otepka, 49, and ruggedly handsome. He thinks his office is bugged. He doesn't trust his desk telephone. He won't let his private briefcase out of his sight, even takes it to the washroom with him.

He reads the Congressional Record because his superiors told him to—after they filed charges against him that can cost him his job. Reading the Record is supposed to keep Mr. Otepka busy until a hearing is held on his ouster. He has been doing "mostly nothing" for a year now—a hearing date still hasn't been set.

Mr. Otepka has been in Government service 38 years, moving up all the time—until last year. His troubles started after he testified in November, 1961,

and March, 1962, before the Senate Internal Security subcommittee. As a longtime security expert, Mr. Otepka told the senators that some new State Department appointees were being given rush-job security clearances.

CASTRO

The committee at the time was investigating Fidel Castro's rise to power and his links with communism. Mr. Otepka had something critical to say about that, too, in connection with high state officials and State Department security practices.

Early in 1963, Mr. Otepka was called back to the committee. Some of his earlier testimony differed from statements made by other department officials. To prove he was right, Mr. Otepka gave committee counsel Jay Sourwine three confidential documents.

This was all right, Mr. Otepka said, because Mr. Sourwine had security clearance. Besides, Mr. Otepka insists, the documents didn't endanger national security.

But the department said Mr. Otepka violated a 1948 order by President Truman forbidding unauthorized disclosure of executive department files. Mr. Otepka concedes this, but points to a 1948 law which says "the right of any member of the classified civil service to furnish information to any member of Congress shall not be denied."

RESOLUTION

Mr. Otepka also leans on a 1958 joint congressional resolution saying "any person in Gov-

ernment service should put loyalty to country above loyalty . . . to any Government department."

Nevertheless, the State Department said Mr. Otepka's acts were insubordination, and on June 27, 1963, charged him with conduct unbecoming an officer.

Seven members of his staff have been re-assigned to other work, and Mr. Otepka charges this was because they openly declared they would testify for him.

Raymond Loughton, Francis Gardner, Edwin Burkhardt, John R. Norpel Jr., Harry Hite,

Howard J. Shea—all experienced in security work—were transferred to the department's Latin American affairs section "to review highly sensitive security cases."

They have privately told friends they are doing no worthwhile work. Four of them—Messrs. Norpel, Hite, Shea, and Burkhardt—filed an appeal under the Veterans Preference Act charging they suffered a grade reduction in rank.

Times Herald

The Washington Daily News 4

The Evening Star

New York Herald Tribune

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The New York Times

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Otepka Asks to Testify Before G. O. P. Group

Otto Otepka, the State Department's controversial security officer, has asked permission to testify before the Republican Platform Committee in San Francisco next week.

In a letter yesterday to William J. Crockett, deputy Undersecretary of State for administration, Mr. Otepka said a representative of the Republican National Committee had asked him if he would be willing to testify. He said he would like permission.

His letter did not state the reason for the Republican request, but it is believed to deal with the State Department's efforts to fire Mr. Otepka from his job as chief of the evaluations division of the Security Office.

Mr. Otepka also said he would be willing to testify before the Democratic Platform Committee if so requested.

Because of Hatch Act prohibitions against career Government employees taking part in political activity, Mr. Crockett told Mr. Otepka he has asked the Civil Service Commission to make a ruling on Mr. Otepka's request. A decision is expected early next week.

Last fall, the department notified Mr. Otepka that it was beginning dismissal proceedings against him based on 13 charges. Mr. Otepka has defended his actions and his case is now in the appeal stage.

He continues to receive his \$18,000-a-year salary, pending outcome of the case.

His case has drawn political attention because of charges from some Senators that Mr. Otepka was being fired because of testimony he gave the Senate Internal Security subcommittee on alleged laxity and mismanagement in the department's security program.

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Otepka Gets Warning on Seeing G.O.P.

By The Associated Press

Otto P. Otepka, former State Department security evaluator, has been advised that if he appears before the Republican Platform Committee he risks violating the Hatch Act.

The Civil Service Commission yesterday told the controversial State Department Official also that if he accepts an invitation to appear on a radio program with a Republican Senator he does so only "at his own risk" of violating the act.

Mr. Otepka was dismissed from the service November 5, 1963, when charges of conduct "unbecoming an officer" were upheld against him. Charges were filed against him after he gave a Senate investigation classified State Department documents on security procedures.

He informed the State Department July 2 that he was expecting an invitation from the Republican National Committee to appear as a witness at the National Convention.

The State Department was asking for an opinion from the Civil Service Commission.

While the State Department was waiting for the commission's reply, Mr. Otepka told his superiors that he had been invited by Senator Simpson, Republican of Wyoming, to appear with him on the Senator's weekly radio program.

The commission's reply yesterday, said the Hatch Act "specifically prohibits an employee from actively engaging in partisan political management and in partisan political campaigns."

The commission wrote that Mr. Otepka, being in the civil service, is "subject to commission jurisdiction concerning possible violation of the Hatch Act."

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Party Task Carries Risk, Otepka Told

The State Department has advised Otto F. Otepka, one of its former top security officers who now holds down a desk without duties, that if he appears before the Republican Platform Committee in San Francisco he will do so at his own risk.

Secretary of State Dean Rusk last fall dismissed Otepka from his position as chief of the evaluations division of the security office on the ground that he disclosed confidential information to unauthorized persons.

In a July 2 letter to the Deputy Under Secretary of State for Administration, William J. Crockett, Otepka asked permission to accept a GOP invitation to appear at San Francisco.

Crockett asked the Civil Service Commission for a ruling. The Commission replied that the Hatch Act "specifically prohibits an employee from actively engaging in partisan political management or in partisan political campaigns."

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(SECURITY)

WASHINGTON--REPUBLICAN NATIONAL CHAIRMAN DEAN BURCH TODAY ACCUSED DEMOCRATIC MEMBERS OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE OF SUPPRESSING TESTIMONY ABOUT STATE DEPARTMENT SECURITY PRACTICES.

HE CLAIMED IN A STATEMENT THAT RELEASE OF THE TESTIMONY PREVIOUSLY WAS APPROVED BY A UNANIMOUS VOTE BUT THE DEMOCRATIC MAJORITY RECONSIDERED AND DECIDED NOT TO RELEASE IT UNTIL AFTER THE ELECTION.

"THIS IS JUST ONE OF THE MANY FLAGRANT EXAMPLES OF THE ALL-OUT CAMPAIGN OF THE DEMOCRATS TO KEEP THE LID ON AND HIDE THE FACTS FROM THE AMERICAN PEOPLE," BURCH SAID.

HE CLAIMED IT WAS "COMMON KNOWLEDGE THAT THE TESTIMONY REVEALED SERIOUS LAXITY IN STATE DEPARTMENT SECURITY PRACTICES AND PARTICULARLY IN THOSE CASES INVOLVING MORALITY."

BURCH SAID THE DECISION TO "SUPPRESS THIS TESTIMONY" WAS MADE BY SUBCOMMITTEE VICE-CHAIRMAN SEN. THOMAS DODD, D-CONN.

HE SAID THE TESTIMONY INCLUDED INTERROGATION OF STATE DEPARTMENT OFFICIALS ABOUT THE FIRING OF DEPARTMENT SECURITY OFFICIAL OTTO OTEPKA.
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WASHINGTON CAPITAL NEWS SERVICE

(ONLY FOR PAPERS PURCHASING LEWIS COLUMN. OTHERS MUST NOT USE.)
(CAUTION: ADVANCE LEWIS COLUMN FOR RELEASE TUESDAY, NOVEMBER 17,
A.M. AND P.M. PAPERS. MUST NOT BE PUBLISHED BEFORE THAT DATE.)

WASHINGTON REPORT

BY BILL SCHULZ

COPYRIGHT, 1964, KING FEATURES SYNDICATE, INC.

(While Fulton Lewis Jr. is on vacation, his column will be written by his associate, Bill Schulz.)

WASHINGTON, November 16--A controversial State Department planner, ousted from his post only last year, has been quietly restored to government service.

He is John F. Reilly, former Deputy Assistant Secretary of State for Security who resigned under Senate fire in December, 1963. Records of the Federal Communications Commission disclose that he went back on the government payroll at \$17,030 a year on September 1.

Reilly was summoned for testimony by the Senate Internal Security Subcommittee several times during the summer of 1963. He had been implicated in a high-level drive to oust from the State Department the veteran security officer, Otto F. Otepka.

In sworn testimony, Reilly assured Senators that he had taken no part in a campaign to "get" Otepka. He specifically denied allegations that he had tapped Otepka's phone in an attempt to obtain incriminating evidence.

A Subcommittee member, Senator Tom Dodd, in a Senate speech last November, bluntly charged Reilly with deception. Senate probers, Dodd said, had learned conclusively that a listening device had in fact been installed on Otepka's phone.

Within 24 hours, Dodd received from Reilly a letter "clarifying" his earlier testimony. The State Department officer admitted that a "bug" had been placed on Otepka's phone, that his previous testimony had, in Dodd's phrase, been "untrue and misleading."

Reilly was stripped of all duties by Secretary of State Rusk and placed on "administrative leave."

Reilly was rehired by the Administration on September 1. His job with the Federal Communications Commission is that of a "trial attorney" who acts upon the license applications of potential radio and TV outlets. His \$17,030-a-year salary is approximately \$1,000 less than that received as a State Department officer.

Note: Although Reilly has been restored to government duty, no such compassion has been evidenced toward Otepka. The veteran security analyst was suspended by State Department superiors and his appeal for reinstatement is now pending.

Six other security specialists have been demoted for proclaiming Otepka's innocence and indicating a willingness to testify on his behalf. Rep. H. R. ...

BY BILL SCHULZ

xxfired."

A Cuban weightlifter who failed miserably in the Tokyo Olympics has offered Radio Havana listeners a novel alibi. Blame for his defeat, he explained, lies with "imperialist agents" who offered him bribes to defect to the U.S. and caused him considerable anxiety. The bribes, continued the Cuban muscleman, were in the form of lucrative contracts to model swimsuits.

* * *

President Johnson has begged California Governor Pat Brown to seek a third term in 1966. The Chief Executive is convinced that Brown's refusal to run for re-election would touch off an intra-party battle that might put the GOP in the governor's mansion at Sacramento.

At least a half dozen Golden State Democrats are thought to have the governorship in mind. They include lame-duck Sen. Pierre Salinger, State Controller Alan Cranston, assembly speaker Jesse "Big Daddy" Unruh, Congressman Jimmy Roosevelt, Los Angeles Mayor Sam Yorty, and Lt. Gov. Glenn Anderson.

The President feels that intra-party knifing helped insure Salinger's defeat earlier this month. The pudgy former press secretary captured the Democratic nomination in a bitter duel with Cranston and the party split was never fully healed.

GOP nominee George Murphy took a sizable Democratic vote in winning a thumping victory over Salinger. A Democratic battle for the gubernatorial nomination in 1966 would enhance Republican chances for victory and could threaten Johnson's own re-election fortunes in 1968.

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(OTEPKA)

WASHINGTON--A HEARING ON CHARGES AGAINST STATE DEPARTMENT SECURITY OFFICER OTTO F. OTEPKA, SCHEDULED FOR TOMORROW, HAS BEEN POSTPONED UNTIL FEB. 9, OFFICIALS SAID TODAY.

A STATE DEPARTMENT SPOKESMAN SAID THE POSTPONEMENT WAS GRANTED AT THE REQUEST OF OTEPKA'S ATTORNEYS TO GIVE THEM MORE TIME TO PREPARE THEIR CASE.

OTEPKA WAS CHARGED BY THE STATE DEPARTMENT WITH GIVING THE SENATE INTERNAL SECURITY SUBCOMMITTEE INFORMATION FROM PERSONNEL SECURITY FILES DESPITE A PRESIDENTIAL DIRECTIVE MAKING THE INFORMATION SECRET.

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New Hearing Set March 16 For Otepka

By the Associated Press

A hearing for Otto F. Otepka, former chief security evaluator of the State Department, was postponed for a third time at the request of Otepka's lawyer, the department reported yesterday.

The hearing, scheduled for Feb. 9, was put off until March 16 at the request of Roger Robb, Otepka's counsel.

State Department Press Officer Marshall Wright, in announcing this said he did not know why Robb asked for postponement.

The lawyer's office said, however, that Robb requested a delay "to obtain the transcripts of certain testimony before the Senate Internal Security subcommittee."

Otepka was suspended as chief security evaluator in September 1963 when he was charged with conduct "unbecoming an officer of the Department of State."

He was accused of having given classified documents to the Senate subcommittee without authorization. He was dismissed from the service Nov. 5 ~~the~~ year.

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**LBJ to Accept
Rusk's Handling
Of Otepka Case**

United Press International

President Johnson expressed complete confidence yesterday in Secretary of State Dean Rusk's handling of the dismissal of former State Department security officer Otto Otepka.

Asked at his news conference whether he could stop Otepka's dismissal, Mr. Johnson said he had discussed the case and had complete confidence in the way Rusk will handle it.

Otepka, who handled security clearance for the State Department, has appealed his dismissal.

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Otepka Requests 4th Postponement Of Job Hearing

By the Associated Press

Otto F. Otepka, former security evaluator of the State Department, again has asked for postponement of a hearing on his dismissal, State Department officials reported yesterday.

This was the fourth such request by Otepka, and his attorney, Roger Robb, explained Otepka is still waiting for the transcript of testimony before the Senate Internal Security subcommittee in connection with his controversial case.

The hearing first was set for Nov. 16, 1964.

Officials said the State Department will agree to the postponement, but that no new hearing date was set.

Otepka was suspended Sept. 23, 1963, and charged with conduct "unbecoming an officer of the Department of State" for having allegedly given classified documents to the Senate subcommittee without authorization.

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UPI - 99

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT SAID TODAY THAT OTTO OTEPKA HAS BEEN GRANTED ANOTHER POSTPONEMENT OF THE HEARING ON HIS APPEAL AGAINST DISMISSAL AS CHIEF OF EVALUATION OF THE DEPARTMENT'S SECURITY OFFICE.

OTEPKA WAS FIRED LAST YEAR BY SECRETARY RUSK FOR ALLEGEDLY PROVIDING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS.

HE APPEALED HIS DISMISSAL AND ASKED A DEPARTMENTAL HEARING. HE REMAINS IN HIS \$19,310-A-YEAR POST UNTIL THE CASE IS DECIDED.

THIS WAS THE FIFTH POSTPONEMENT REQUESTED BY OTEPKA. THE ORIGINAL HEARING WAS SCHEDULED LAST NOVEMBER 16. BY TODAY'S ACTION, IT WAS RESET FOR SEPT. 15. OTEPKA ASKED FOR THE LATEST POSTPONEMENT BECAUSE HE HAD BEEN ADVISED BY THE SENATE INTERNAL SECURITY SUBCOMMITTEE THAT IT WOULD BE AT LEAST AUGUST UNTIL THE FULL TRANSCRIPT OF TESTIMONY INVOLVING HIM WOULD BE MADE AVAILABLE.

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WASHINGTON CAPITAL NEWS SERVICE

Otepka Wins Fifth Delay Of Hearing

United Press International

The State Department said yesterday that Otto Otepka has been granted another postponement of the hearing on his appeal against dismissal as chief of evaluation of the Department's security office.

Otepka was fired last year by Secretary of State Dean Rusk for allegedly providing confidential information to unauthorized persons.

He appealed his dismissal and asked a departmental hearing. He remains in his \$19,310-a-year post until the case is decided.

This was the fifth postponement requested by Otepka. The original hearing was scheduled last November 16. By yesterday's action, it was reset for Sept. 15.

Otepka asked for the latest postponement because he had been advised by the Senate Internal Security Subcommittee that it would be at least August until the full transcript of testimony involving him would be made available.

Sen. Roman L. Hruska (R-Neb.) said yesterday that he hoped the Subcommittee will soon make the testimony public, the Associated Press reported. Hruska said there is more involved than just the Otepka case. The basic issue is the right of a Senate committee to get testimony from any Government employee affecting national security, he said.

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Both Sides Agree on Examiner

Otepka Case Reopens

The on again, off again State Department hearing on the celebrated security case of Otto F. Otepka is finally going to begin within a few days, officials said today.

At issue is a more than three-year-old order by Secretary of State Dean Rusk firing Mr. Otepka from his job as chief of the Division of Evaluations in the Department's Office of Security.

Mr. Rusk acted on charges

- Gave the Senate Internal Security Sub-committee confidential documents in violation of a presidential order.

- Mutilated documents by clipping off classified labels before giving them to the panel.

- Gave the senators a list of questions on security procedures to ask his State Department superiors.

The sub-committee was investigating allegations the

State Department was lax in security matters. After the dismissal order, it brought into its inquiry the possibility the firing was ordered in retaliation.

Mr. Otepka denied all the charges and appealed for a hearing by the department. This has kept him on the payroll at more than \$20,000 a year since November, 1963, altho he was relieved of his previous duties and given such jobs as indexing public documents containing the views of congressmen on security matters.

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UPI-13

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT SAID TODAY ITS HEARING IN THE CASE OF OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF ITS SECURITY OFFICE, NOW IS SCHEDULED TO BEGIN OCT. 11.

THE ANNOUNCEMENT CAME AS TESTIMONY BY OTEPKA AND STATE DEPARTMENT OFFICIALS BEFORE THE SENATE INTERNAL SECURITY SUBCOMMITTEE WAS MADE PUBLIC.

OTEPKA WAS DISCHARGED BY SECRETARY RUSK IN NOVEMBER, 1963, ON CHARGES OF HAVING GIVEN CONFIDENTIAL INFORMATION TO THE STAFF OF THE SUBCOMMITTEE.

HE APPEALED TO THE DEPARTMENT FOR A HEARING AND HAS RETAINED HIS OFFICIAL TITLE AND SALARY PENDING THE OUTCOME OF THE HEARING.

THE STATE DEPARTMENT POINTED OUT THAT HIS INITIAL HEARING WAS SET

FOR NOV. 16, 1964, BUT HAS BEEN POSTPONED FIVETIMES AT OTEPKA'S REQUEST.

THE DEPARTMENT SAID OTEPKA'S ATTORNEY, IN REQUESTING EACH POST-CONFIDENT, HAS SAID THE TRANSCRIPT OF HIS TESTIMONY BEFORE THE SENATE INTERNAL SECURITY SUBCOMMITTEE "HAD NOT YET BEEN RELEASED AND THEREFORE COULD NOT BE USED IN MR. OTEPKA'S DEFENSE."

OFFICIALS SAID THE RELEASE OF THE TESTIMONY NOW SHOULD MAKE IT POSSIBLE TO MOVE AHEAD WITH THE HEARING.

THE SUBCOMMITTEE TESTIMONY RELEASED TODAY, COVERING HEARINGS IN 1963 AND 1964 REVEALED DETAILS OF MOVES TO REMOVE OTEPKA FROM HIS POST BEFORE HIS OFFICIAL DISCHARGE. THE ACCOUNT OF THE MANEUVERING READS LIKE A COMIC OPERA ATTEMPT TO MAKE HIM AN "UNPERSON."

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WASHINGTON CAPITAL NEWS SERVICE

Former Judge Expected To Hear Otepka Appeal

By the Associated Press

A man outside the State Department—retired Circuit Judge E. Barrett Prettyman—is expected to act as hearing officer in Otto F. Otepka's appeal of his dismissal, it was learned today.

Meantime, the hearing set for Oct. 11 has been postponed again, this time to an indefinite date.

The appointment of a legal expert outside the department would be a major concession to Otepka, who had contended he could not get a fair hearing within the State Department. Under normal procedure, any such appeal would come before a regular department hearing examiner.

Otepka was dismissed Nov. 5, 1963, as head of the State Department's security evaluation section, but he still is on the payroll at \$19,310 a year pending the outcome of his appeal.

Prettyman is the former senior judge of the Court of Appeals for the District of Columbia. As hearing officer, he would hear witnesses and arguments from both sides and make a report to Secretary of State Dean Rusk.

The hearing officer does not act as a judge. The final decision rests with Rusk, subject to a possible court appeal.

The Otepka case involves a dispute between some persons

within the State Department and others on the Senate Internal Security subcommittee.

At the time Otepka was dismissed, the State Department said he had furnished classified (secret) information to the subcommittee, had given the subcommittee staff a series of questions to be asked of his superiors and had been responsible for removing classification markings from some documents. The official charge was "conduct unbecoming an officer" of the department.

The subcommittee in turn has held lengthy hearings including testimony on Otepka's charges that his office telephone was tapped and waste paper from his office checked by others within the department.

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Otepka Data Is Made Public; Violated No Rules, He Feels

By the Associated Press

Otto F. Otepka believes he violated no rules by furnishing classified documents to the Senate Internal Security subcommittee.

His reason as reported after a mid-1963 FBI interview: The subcommittee consists of "men of unimpeachable trustworthiness whose authority to have access to classified information of the U.S. government truly cannot be questioned."

Several months later, Otepka was suspended as the State Department's chief security evaluator for conduct unbecoming a department officer.

Suspension Appealed

He appealed the suspension and remains on the payroll at \$19,600 annually pending hearings.

The statement to the FBI and other documents are contained in a volume of testimony made public by the subcommittee today.

Otepka admitted that he had furnished subcommittee counsel J. G. Sourwine certain classified documents and also a series of questions he suggested Sourwine might ask other department officials.

It was his right to do so, Otepka maintained, because according to the law no civil servant can be denied the right "to furnish information to either house of Congress or to any committee or member thereof."

But Otepka firmly denied that he was "responsible for the declassification of classified documents" or "responsible for the mutilation of classified documents," as the State Department charged. Such acts constitute a federal offense, punishable by a fine of not more than \$2,000 or imprisonment for three years, or both.

Some of the documents in today's volume were made public in 1963 by Roger Robb, Otepka's attorney. But this is the first time that both the actual charges against Otepka and his statement to the FBI agents have been printed in full.

The charges were raised in a State Department letter to Otepka dated Sept. 23, 1963. The letter lists cases in which Otepka allegedly violated a 1948 presidential directive by furnishing Sourwine with documents concerning the loyalty of employees or prospective employees.

Inspected Burn Bag

The letter also listed the cases in which Otepka was allegedly responsible for the declassification or mutilation of documents, including a confidential paper addressed to McGeorge Bundy, White House foreign policy adviser.

This charge was made after security officers inspected Otepka's "classified trash bag," also called a burn bag. The inspection, the State Department said, disclosed that the classification was clipped from a number of documents. The clippings were found in the bag, but not the documents themselves.

"I did not clip the documents in question. I was not responsible for the clipping, directly or indirectly," Otepka said. "I do not know who did it, or why, or who placed the clippings in my burn bag."

He complained about the "flimsy nature of circumstantial evidence," and charged that the State Department is relying upon "the theory of guilt by association with my burn bag."

Admits Giving Papers

Admitting that he gave Sourwine classified papers, Otepka argued that the subcommittee counsel was authorized to receive such documents.

"I am at a loss to understand as to who is the 'unauthorized' person. I would find it incredible to believe that the chief counsel of the U.S. Senate Committee on the Judiciary is such a person," he declared.

Otepka also said he ~~polled~~ ^{polled} Sourwine with questions. This, he ~~explained~~ ^{explained} was because he was "shocked and amazed" by testimony before he subcommittee by John F. Reilly, then deputy assistant secretary of state for security, who, among other things, said Otepka was an "unbalanced" person.

Robb ~~replied~~ ^{replied} in ~~the~~ ^{the} ~~letter~~ ^{letter}.

He first ~~denied~~ ^{denied}, then admitted ordering the "bugging" of Otepka's State Department ~~office~~ ^{office}.

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UPI-48

(OTE PKA)

WASHINGTON--THE STATE INTERNAL SECURITY SUBCOMMITTEE TODAY RELEASED FULL TEXTS OF THE BASIC DOCUMENTS IN THE CASE OF OTTO OTEPKA, STATE DEPARTMENT SECURITY OFFICIAL WHO IS APPEALING HIS DISMISSAL TWO YEARS AGO BY SECRETARY RUSK.

THE DOCUMENTS INCLUDE:

-A STATE DEPARTMENT LETTER OF SEPT. 23, 1963, ADVISING OTEPKA OF ITS INTENTION TO FIRE HIM BECAUSE HE ALLEGEDLY SUPPLIED CLASSIFIED DOCUMENTS CONCERNING THE LOYALTY OF DEPARTMENT EMPLOYEES OR PROSPECTIVE EMPLOYEES TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE SUBCOMMITTEE. IN ADDITION, HE WAS CHARGED WITH UNAUTHORIZED DECLASSIFICATION OR MUTILATION OF CONFIDENTIAL DEPARTMENT DOCUMENTS.

OTEPKA'S OCT. 14, 1963, REPLY IN WHICH HE ACKNOWLEDGED SUPPLYING INFORMATION TO SOURWINE, SOME OF IT CONFIDENTIAL, BUT CONTENDED THAT THE CHIEF COUNSEL OF A CONGRESSIONAL SUBCOMMITTEE AUTHORIZED TO INVESTIGATE DEPARTMENT PROCEDURES COULD NOT BE CONSIDERED AN "UNAUTHORIZED PERSON". HE DENIED THE ALLEGATION OF DECLASSIFYING OR MUTILATING CLASSIFIED DOCUMENTS.

--A COPY OF AN AUG. 15, 1963, STATEMENT BY OTEPKA TO FBI AGENTS IN WHICH HE ALSO ACKNOWLEDGED SUPPLYING CLASSIFIED DATA TO SOURWINE BUT CONTENDED THE SUBCOMMITTEE COUNSEL WAS FULLY ENTITLED TO IT.

OTEPKA IS STILL ON THE STATE DEPARTMENT PAYROLL, PENDING THE OUT-
COME OF HIS APPEAL AGAINST THE DEPARTMENT'S ACTION IN FIRING HIM. HE
IS GETTING THE SAME SALARY OF \$19,000 PER YEAR HE RECEIVED AS CHIEF OF
THE SECURITY OFFICE'S EVALUATION DIVISION, BUT HAS BEEN ASSIGNED TO
OTHER DUTIES.

THE HEARING OF OTEPKA'S APPEAL HAS BEEN POSTPONED SIX TIMES AT HIS REQUEST TO AWAIT FULL PUBLICATION OF THE SENATE SUBCOMMITTEE'S TESTIMONY AND DOCUMENTS.

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WASHINGTON CAPITAL NEWS SERVICE

Otepka Feels He Violated No Regulations

By Endre Marton
Associated Press

Otto F. Otepka believes he violated no rules by furnishing classified documents to the Senate Internal Security Subcommittee.

His reason as reported after a mid-1963 FBI interview: The Subcommittee consists of "men of unimpeachable trustworthiness whose authority to have access to classified information of the U.S. Government truly cannot be questioned."

Several months later, Otepka was suspended as the State Department's chief security evaluator for conduct unbecoming a Department officer.

He appealed the suspension and remains on the payroll at \$19,600 annually pending hearings.

The statement to the FBI and other documents are contained in a volume of testimony made public by the Subcommittee yesterday.

Admits Furnishing Documents

Otepka admitted that he had furnished Subcommittee counsel J. G. Sourwine certain classified documents and also a series of questions he suggested Sourwine might ask other Department officials. It was his right to do so, Otepka maintained, because according to the law no civil servant can be denied the right "to furnish information to either house of Congress or to any committee or member thereof."

But Otepka firmly denied that he was "responsible for the declassification of classified documents" or "responsible for the mutilation of classified documents," as the State Department charged. Such acts constitute a Federal offense, punishable with a fine of not more than \$2000 or imprisonment for three years, or both.

The charges against Otepka were announced in a State Department letter to him dated Sept.

23, 1963. The letter lists cases in which Otepka allegedly violated a 1948 Presidential directive by furnishing Sourwine with documents concerning the loyalty of employees or prospective employees.

The letter also listed the cases in which Otepka was allegedly responsible for the declassification or mutilation of documents, including a confidential paper addressed to McGeorge Bundy, White House foreign policy adviser.

Clippings Found in Bag

This charge was made after security officers inspected Otepka's "classified trash bag," also called a burn bag. The inspection, the State Department said, disclosed that the classification was clipped from a number of documents. The clippings were found in the bag, but not the documents themselves.

The burn bag, said the Department, also revealed that Otepka prepared questions for Sourwine to ask two Otepka superiors. The Department said this was a "breach of standard of conduct expected of an officer of the Department of State."

"I did not clip the documents in question. I was not responsible for the clipping, directly or indirectly," Otepka declared. "I do not know who did it, or why, or who placed the clippings in my burn bag."

Otepka also said he supplied Sourwine with questions. This, he explained, was because he was "shocked and amazed" by testimony before the Subcommittee by John F. Reilly, then Deputy Assistant Secretary of State for Security, who, among other things, said Otepka was an "unbalanced" person.

Reilly resigned in the fall of 1963, after he first denied, then admitted ordering the "bugging" of Otepka's State Department telephone.

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New Chapter, Same Story in Otepka Probe

Washington, Nov. 20 (AP)-- Another repetitious chapter in the seemingly endless Otepka case went into the record tonight with publication of the ninth in a series of reports by the Senate Internal Security subcommittee.

More reports—perhaps a dozen or so—are expected before there is any conclusive showdown in the matter of Otto F. Otepka, a State Department security officer ordered dismissed two years ago but still on the payroll at an annual salary of \$20,005.

A Raise to Boot

Actually, Otepka's salary has gone up more than \$3,000 since he first got into serious difficulties with his department superiors about three years ago. This is due to a series of statutory pay increases to which Otepka is entitled automatically, pending final disposition of his appeal from dismissal on charges of conduct unbecoming a State Department officer.

While the lengthy record is being built around the case, the proceedings reflect also a general dissatisfaction on part of some subcommittee members with the whole security system of the department.

The new volume adds almost nothing to what has been learned from previous one on the dispute between the department and Otepka, who has been charged with having supplied the subcommittee's counsel with classified documents and with questions to be asked of other department officials. He is accused also of being "responsible for the declassification" and "mutilation" of classified documents.

Admits Supplying Info

Otepka has acknowledged supplying information and questions to J. G. Sourwine, subcommittee counsel but has denied declassifying or mutilating any classified documents.

Otepka, his attorney, Roger Robb, told the committee, has been relegated to cramped quarters . . . deprived of effective clerical assistance . . . subjected to surveillance and other psychological harassment . . . given assignments which can only be described as make-work and de-

The work Robb referred to was a special assignment of April, 1964, requesting that Otepka "conduct a comprehensive review of the Congressional Record and other publications emanating from the Congressional committees on various phases of the security-loyalty programs." On June 14, 1965, Deputy Undersecretary of State William J. Crockett told Otepka that "to date no tangible results have been submitted" in this special assignment.

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G.O.P. Asleep at the Switch

MORE ANTI-OTEPKA INTRIGUE

This editor is sick and tired of writing about the Otepka case. Readers are sick and tired of reading about it in TACTICS. Legislators are sick and tired of having it brought up. The press practically has dropped it. Even Otto F. Otepka has had to fight against this attitude personally. And this is exactly the stalling tactic that the State Department depends upon for victory. For it hasn't a leg to stand on in the case, otherwise. If it had, it would not have presented such a contemptible spectacle of harassing and persecuting a civil servant with such a fine record of achievement. The Administration's performance in this affair is sickening, and it is time that it realized that there is a limit to the number of scandals the public---or the Congress and press---can stomach. There are ample signs that a public reaction already has set in. Here is one case that better be dealt with honorably, and without cynically continuing to drag it out.

The editor of TACTICS is going to do his utmost to keep this case alive until it is dealt with honorably. Its readers can be depended upon to pass the word, and exert their influence accordingly---and many of them are public figures. Legislators are fed up with having the powers of the Congress stolen by the Executive and being reduced to a Presidential puppet show. The press is waking to a news management technique that is making government hacks of its writers. The Otepkas---man, wife and daughter---are just not going to let this case be brushed under the carpet. Too many years of their lives have been given to it for them to give up now.

SOME NEW STALLING TACTICS

State Department circumlocution and subterfuge caused almost unprecedented delays in the publication of the testimony. Its first objective was to suppress the most relevant portions, using every artifice until finally it even attempted the old "executive privilege" gambit. Fortunately, the Senate Internal Security Subcommittee stood its ground. The effort "to get" Thomas J. Dodd, exactly as they had tried "to get" Otepka, had its connection with this case, for the Senator, more than anyone else, was carrying the ball. If Dodd can be eliminated, or sufficiently besmirched, the case could be critically hurt. The chief counsel of the committee is Julien G. Sourwine, and so we find him smeared, too, on the basis of stolen papers. If only something could happen to him, the continuity of the case would be shattered.

In fact, at this stage, anything goes, and we can expect anything.

A hearing judge was picked out of a list offered by the State Department, who announced that his doctor had ordered him to take it easy, and quit the case when Otepka insisted on vindication by a hearing instead of accepting a deal through mediation. The next we heard, the judge was not too overworked to hand down a verdict forcing New York State to accept communists as school teachers!

Everyone had been led to believe that the hearing would take place right after the declassification and release of the testimony, making it available to the defense. Now we're back where it started, except for new ramifications. A report summarizing the affair was to be compiled and published right after the testimony had been made public. Months have passed, and the report still is under wraps. Probably this was to be expected, for we find the parent Judiciary Committee includes Sens. Edward M. Kennedy and Birch Bayh. Anyone who thinks their role would be anything except protector of Robert F. Kennedy would surely be naive. And the new angle in the case is that, as a consequence of the former attorney general's involvement in bugging and other eavesdropping, his role in the effort "to get" Otepka through his man, John F. Reilly, may receive special attention. Ted Kennedy, although not a member of the subcommittee, showed his interest when he appeared at just one of its meetings, participating in the questioning, actually helping a witness in which his family has an interest extricate himself when cornered. The release of the report probably will require the same public pressure as was necessary in the release of the final testimony.

SEN. DIRKSEN AND OTHER REPUBLICANS STILL TO ACT

Sen. Everett Dirksen, of course, is the outstanding Republican on both the committee and subcommittee. So far as the public is concerned, not a peep has been heard from Dirksen. This editor knows no one that constitutes more of a bellwether of what to expect of the Republican Party between now and the next election than this. This is a test of its role as an independent party. If it lacks the courage to come out on this, and to make its impact felt, the public will have every right to consider it as a hand-off.

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e Democratic coat-tails, whose interpretation of "loyal opposition" is to be at the Democratic Party's corner when the chips are down. This is a far cry from what voters want. The Otepka case is their opportunity to demand action by their legislators. After all, the integrity of the Congress is intimately involved, well as the security of the nation. Lest we forget, here are the two issues in the Otepka case:

1. The right of members of the Congress to ask a question of a government official and receive a truthful answer. There can be no disputing, on the basis of sworn testimony, that this is at stake. No senator or congressman, deprived of factual material, could draft a bill wisely. He becomes completely subservient to the White House, for whomever controls the information controls the workings of the mind. This is a matter that is the concern of every voter personally, and hence every voter personally owes Otepka's active backing.

2. The responsibility of the security officer to reach judgment on matters concerning subversion, treason and character defects wholly free from pressure no matter where, whether White House or the N. Y. Times. There can be no disputing, on the basis of plenty of evidence provided the committees of Congress, that very questionable characters, of proven, untrustworthy background, are being protected in high places. Certainly everyone is involved here, for one red agent in a vulnerable spot in the nuclear age could bring catastrophe to the nation. Otepka represents our bulwark against this. Abandon it, and we lose our nation.

STATE SEEKS TO STAGE A LOADED HEARING

The State Department has suggested that Otepka accept as hearing officer John Lewis, an examiner of the Federal Trade Commission. He was with the National Labor Relations Board for years as a hearing officer. He was turned down, obviously. Anyone beholden to the Administration, or with a long record of quiescence to its bureaucratic or political will, would be unsatisfactory. Why the government cannot content to some eminent figure outside of it, from the legal or business community, is incomprehensible, or maybe one should say, self-revealing.

More puzzling still is why the Administration should wish to continue this case a day longer, when the damning evidence against it is so overwhelming.

A State Department official, in an attempt to cow a career man who was showing independence of judgment of an anti-communist nature, told him he probably would "become another Otepka." He went on:

"But what will you get out of it? What did he get out of it besides the publicity? He's nothing more than a damn fool. He's sitting up there in his little room doing nothing, wasting his life. If he had any sense, he could have made a deal with the Department a long time ago, when he was offered a War College assignment. He turned it down. He could be a consul general now. Instead, he's carrying on this petulant fight that's useless because he can't win it. No matter who else loses, Otepka will certainly lose.

"If nothing else, his body will run down. He is just a biological being. His liver will give out, his heart will give out. But the State Department is an institution. It has no liver, no heart, no nerves. It can't be destroyed, and only those can win who stay on its side no matter what it does. He will never make his way, even if he wins his case. He can't make his way.

YOU DON'T KNOW WHAT WE CAN DO...

"With your case, if you insist, you'll be another Otepka. You'll be in the papers. But what good will it do you? You'll have to get some job, go up to the Hill, walk the corridors there and worry about whether you'll be hurt or not by some testimony we'll release about you. You don't know what we can do to give you a bloody nose. You don't know what we have in our files about you, do you? Meantime, while you're wasting your time, I'll be sitting here and Crockett will be sitting in his office." [Since then, in spite of his cocksureness, William Crockett, deputy assistant secretary of state for administration, is out of the State Department.]

"We're getting paid for putting in 40 hours. You'll have to do it on your own time, without pay. Besides, will you get a good job to keep going? You can't expect to get any references from us if you go about abusing us, can you? You can't even get another job without our help. You'll have to give us as your reference. You never worked any place else. Remember, I'll be the one writing your reference, but if you go on going out and saying unpleasant things about us, I can't really say you're sober and you're very good or can I? But if you're reasonable and you reconcile yourself to the facts of life, we'll all say that you worked hard and you worked hard. I really want to help you prosper, but I can't write a good reference only if you deserve it.

Now, you've been a political officer and yet about such matters you're really naive. When I was

young, I was an idealist. I went to Japan and I thought we were going to make the world safe, and we were going to get rid of the war criminals. I found out very quickly the world isn't made that way. Money does count. Power counts---connections count. There are people who know this and who have the money to get their hands on the proper ownership and stock. They survive. The others don't. I've read the history of the Japanese families of the Middle Ages up to the present time, and there's an old saying that everyone must lean like the bamboo and bend with the storm. After the storm passes, it lifts its head. Bamboo can grow high and survive because it bends with the wind. If the storm winds come from the East, it bends in that direction. When it goes in the other direction, it bends that way. It isn't like a tree that stands upon the plain, opposes the wind, then crashes down. The unbending tree dies out while bamboo conquers the world. I've learned that lesson, and I saw it proved time and time again. I was just as foolish formerly to think the world is as its written down in such books as 'Profiles in Courage,' but now I know Kennedy didn't believe that book himself." [He wrote it.]

"MY IDEAL TODAY IS BOBBY BAKER"

"Quite frankly, my model and my ideal today is Bobby Baker. Look who's President and how he got there. That's how things are done. That's why Crockett has connections with the Hill, and does little favors. They're important. He's got the right connections, and he'll get the money to keep them up. If you are able to deal like that, you get ahead.

"I tell you, I feel sorry for you, but it is just a fact of life. You've lost it. You don't have a chance unless you bend like the bamboo, and be reasonable. Then you'll get a good recommendation from us for another job. But if you fight us, then you're going to get ulcers, heart attacks. In fact, if you fight us, it will take years and even if you win and are reinstated, you'll have to come back here into this office, may be even to me, and your next assignment will depend on me or Crockett or his successor, or my successor. You might get a good assignment perhaps the first time out, and then we will take proper care of you. You know these are the facts of life. I didn't make these rules. Why don't you play along with us and I'll help you get a good job? I know you deserve it. Let me help you.

"Look where Crockett is sitting. Otepka thinks he's a big hero fighting for the Constitution and upholding the rights and all the rest. But where does he go evenings? Look who's invited to the White House. Look who sits next to Johnson. Crockett! Certainly, not Otepka; certainly you won't be.

SHOULDN'T "FIGHT AN INSTITUTION"

"Otepka is an example of what might happen to you. What would be the use? We'll give you an assignment either here or give you a meaningless job like Otepka's. He's doing something with the Congressional Record. That's no job for the man. He shouldn't have tried to fight an institution. That's insanity!

"He could have taken the War College assignment and now he'd be in charge of a mission and getting promotions and enjoying himself, and moving up in the Department. That's what he should have done. That's what any sane man would do."

Similar-type overtures have been made to Otepka to make a deal. This constitutes a screening process. Perhaps it provides a better insight into why we are going backwards fast in our foreign relations than anything else could. Wheelers and dealers, who make sure never to cross City Hall do not stand up for their side or their country when the going gets rough. They're willing to let our young men go out and die in Viet Nam as a front for their own "bambooism." Of course, foreign agents need have no special difficulty infiltrating any such body of men. If the term, men, really applies! Surely not in the sense that one refers to the men sloshing through Mekong mud, or ripping their way through Viet Nameese jungle. Perhaps what our country needs most of all if it is to make headway in its foreign relations is the replacement of the admirers of bamboo in the State Department, and their replacement by men brought up to admire tall and sturdy trees. The bamboo simile has validity, of course, but only up to a point. Trees are more enduring in every way than bamboo. If one wants an Asian simile, take a banyon rather than an oak.

The Otepka case is the most important in our lifetime. Our form of government and national security both are involved in it. If the newspaper or the radio-TV in one's community is not properly covering the story---and this means not just parroting the frequently falsified statements by the State Department---readers should put pressure on it to do so, and if one's polite, personal appeal won't accomplish this, can be taken up through local organizations. Similarly, pressure must be put on the Congress, particularly the Republicans at this stage, a combination of needling and encouragement. Our legislators need not

Remember, a stalling and a wearing down tactic is being employed. Let's show we have staying power.

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State Drops 10 Charges As Otepka Hearing Starts

By George Lardner Jr.
Washington Post Staff Writer

The State Department yesterday dropped ten of its charges against Otto F. Otepka, its former guardian of security clearances who now works in a Foggy Bottom cubbyhole clipping the Congressional Record at \$20,435 a year.

The move came at the outset of a repeatedly postponed administrative hearing on Otepka's dismissal, which was ordered in 1963.

It left the ouster resting on three charges, all of them lodged against Otepka for supplying confidential documents to the Senate Internal Security subcommittee in violation of a 1948 presidential directive.

Kept on Payroll

Formerly chief evaluator of security clearances, Otepka, 52, is being kept on the State Department's payroll in a make-work job until the case is resolved.

The charges dropped yesterday concerned allegations that Otepka was to blame for the mutilation of several classified documents and that he submitted a series of questions to be directed at two of his superiors by the Internal Security Subcommittee.

All of these charges were based on bits of paper and typewriter ribbons plucked from Otepka's "burn bag" (for classified trash).

Irving Jaffe, Justice Department attorney representing State in the proceeding, said he moved for dismissal of

the ten charges for varied "technical, legal reasons."

Dismissal of the "mutilation" charges, Jaffe declared, "had nothing to do with (problems of) proof," but he declined to elaborate.

Otepka has denied mutilating any documents and contends they were "planted" in his burn bag.

Closed Session

The hearings are being conducted by examiner Edward A. Dragon, a lawyer for the Agency for International Development, in closed session over Otepka's protests.

Otepka's attorney, Roger Robb, said Dragon also ruled, over their protests, that the transcript of the hearing will be classified "confidential" although the documents in question have all been published by the Senate subcommittee.

Otepka has admitted furnishing the documents, all concerning employee loyalty, to the subcommittee, but denies that this constitutes conduct "unbecoming an officer of the Department of State."

Otepka's defense on the charges still remaining, consequently, amounts to a claim that Government employees are bound by a "higher loyalty" rising above "persons, party or Government department."

The hearings, however, are confined to findings of fact; the issue is likely to wind up in the courts. The ruling at State is up to Secretary Dean Rusk.

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United Press International

Otto F. Otepka, left, and his attorney, Roger Robb, during a hearing recess.

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—United Press International

OTEPKA GETS HIS CHANCE

Otto F. Otepka (left), a former State Department security officer, talks with his attorney, Roger Robb. The State Department yesterday opened its long-delayed case on charges that Otepka passed secret information to the Senate. Otepka, who has denied all charges, said, "This is my day."

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Letters to the Editor

Common Sense

Having taught marksmanship years ago at a boys' camp, under the aegis of the National Rifle Association, I felt I was doing something constructive, something good. I still feel that way. Teaching youngsters to hold a rifle properly, aim it accurately, fire it and, most of all, to respect it put an added zest to my summer as a counselor.

However, I am totally in sympathy with your stand

against guns which can be purchased almost in any corner drug store. But the attitude that I cannot understand is that of the N.R.A. What's wrong with waiting a week or two for a license? You would have to wait that long for a membership in this organization.

I don't think this august body would want every moron to have a gun any more than they would lobby against hunting. And who has to get a gun so fast that he can't wait for a permit? We all know who. Just pick up the paper any morning and read the crime news.

I have nothing against the National Rifle Association except their lack of common sense.

EDWARD W. BENINGTON.
Alexandria.

The Otepka Case

Jack Anderson's column published in *The Washington Post* May 26 contains false statements about my client Otto F. Otepka.

Mr. Otepka did not filch any files, or raid the files, or "slip" any documents to Senator Dodd. In connection with his testimony before a Committee of the United States Senate he produced for the record certain memoranda and other papers from his own files. These papers were in Mr. Otepka's possession legitimately. They were relevant and material to Mr. Otepka's testimony and were received in evidence at the Committee hearing.

Mr. Anderson charges Mr. Otepka with "informing on his superiors." The fact is that Mr. Otepka challenged incorrect testimony that had been given to the Senate Committee by one or more of his superiors; and by producing papers from his own files he demonstrated that he was right. Mr. Anderson apparently believes that a witness who tells the truth under such circumstances is an informer. Does he intend that Mr. Otepka should not have corrected statements in the record that he knew to be wrong?

Mr. Anderson says "What was good for Otepka, Dodd angrily concluded, was not good for the employees who trifled with his files." From Mr. Anderson's many columns on the subject I gather that he and certain former employees of Senator Dodd surreptitiously removed thousands of papers from the Senator's files. Their purpose was to supply Mr. Anderson with material for an attack on Senator Dodd. Without debating Mr. Anderson's definition of trifling, it is enough to say that there is no similarity or analogy whatever between the action of Mr. Otepka in producing papers from his own files for the record of a Senate committee and the conduct of Mr. Anderson and his associates.

ROGER ROBB.
Attorney for Otto F. Otepka.
Washington.

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(OTEPKA)

WASHINGTON--THE LONG DELAYED STATE DEPARTMENT HEARING ON THE CELEBRATED SECURITY CASE OF OTTO F. OTEPKA BEGAN QUIETLY TODAY WITH BOTH SIDES TIGHT-LIPPED.

THE SUBJECT IN DISPUTE IS AN ORDER BY SECRETARY RUSK, WHICH IS NOW MORE THAN THREE YEARS OLD, FIRING OTEPKA FROM HIS JOB AS CHIEF OF THE DIVISION OF EVALUATIONS IN THE DEPARTMENT'S OFFICE OF SECURITY.

RUSK ACTED ON CHARGES THAT OTEPKA:

--GAVE THE SENATE INTERNAL SECURITY SUBCOMMITTEE CONFIDENTIAL DOCUMENTS IN VIOLATION OF A PRESIDENTIAL ORDER.

--MUTILATED DOCUMENTS BY CLIPPING OFF CLASSIFIED LABELS BEFORE CARRYING THEM TO THE PANEL.

--GAVE THE SENATORS A LIST OF QUESTIONS ON SECURITY PROCEDURES TO ASK HIS STATE DEPARTMENT SUPERIORS.

BEFORE GOING INTO THE HEARING ROOM, OTEPKA TOLD A NEWS REPORTER, "THIS IS MY DAY. I'VE WAITED WITH GREAT PATIENCE. THE HEARINGS HAVE BEEN POSTPONED MANY TIMES AND THEY ARE GOING TO BE CLOSED THIS TIME AT THE RULING OF THE DEPARTMENT."

HEARING THE DEPARTMENT OF STATE'S CASE AND LATER OTEPKA'S DEFENSE WAS HEARING EXAMINER EDWARD A. DRAGON.

DRAGON, A LAWYER WHO IS A CONSULTANT TO THE AGENCY FOR INTERNATIONAL DEVELOPMENT, SAID IT WOULD BE IMPOSSIBLE TO PREDICT HOW LONG THE HEARING WILL LAST.

HE SAID THE OBJECT OF THE HEARING IS TO ESTABLISH THE FACTS OF THE CASE AND THEN REFER IT TO RUSK FOR A NEW DECISION.

OTEPKA HAS DENIED ALL CHARGES. THIS HAS KEPT HIM ON THE PAYROLL AT MORE THAN \$20,000 A YEAR SINCE NOVEMBER, 1963, THOUGH HE WAS RELIEVED OF HIS PREVIOUS DUTIES AND GIVEN SUCH JOBS AS INDEXING PUBLIC DOCUMENTS.

THE HEARING HAS BEEN SCHEDULED AND POSTPONED FIVE TIMES IN THE PAST TWO YEARS, FIRST BECAUSE OF THE INABILITY TO AGREE ON A MUTUALLY ACCEPTABLE HEARING EXAMINER AND LATER TO AWAIT PUBLICATION OF THE 1.5 MILLION WORD TRANSCRIPT OF HEARINGS WHICH THE SENATE INTERNAL SECURITY SUBCOMMITTEE HAS HELD ON THE CASE.

TWO STATE DEPARTMENT OFFICIALS WHO PREVIOUSLY TESTIFIED THEY HAD NOT BUGGED OTEPKA'S OFFICE, HAVE SINCE CHANGED THEIR STORY AND SAID THEY HAD AT LEAST TRIED TO.

IF OTEPKA LOSES HIS CASE BEFORE THE PRESENT HEARING, HE MAY STILL APPEAL TO THE CIVIL SERVICE COMMISSION AND ULTIMATELY TO THE COURTS.

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WASHINGTON CAPITAL NEWS SERVICE

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-8-67

FROM : N. P. Callahan

OTTO OTERKA

SUBJECT: The Congressional Record

Pages H6826-H6827. Congressman Ashbrook, (R) Ohio, spoke concerning the Otopka case and included an article from the Chicago Tribune of June 7, 1967, entitled **Diemias All But Three Otopka Case Charges**. Mr. Ashbrook stated "If the State Department thinks it will eventually slide this case under the rug and the whole affair forgotten, it is mistaken. Meanwhile the American public can be of immense assistance by learning the facts and making their sentiments known here in Washington."

Original filed in: 66-1151-3093

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In the original of a memorandum captioned and dated as above, the Congressional Record for 6-7-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that

portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

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Secrecy Veiling Otepka Case Hit by ACLU

By the Associated Press

The American Civil Liberties Union has protested the secrecy of a State Department hearing into the dismissal of Otto F. Otepka, the department's former chief security evaluator.

"The exclusion of the public in a matter of this importance does injury to two values we hold in high esteem," said Lawrence Speiser, director of the union's Washington office.

Speiser said these values are the right of the public to be informed "and the equally compelling right of the individual subject of the hearing to have the public present."

Otepka was dismissed in November 1963 on charges that his conduct in giving information on Capitol Hill was unbecoming an officer of the State Department. He has remained on the payroll pending final disposition of his appeal.

The appeal opened two weeks ago before Edward A. Dragon, an attorney for the Agency for International Development who was appointed by the department to serve as hearing officer.

Speiser said the department has cited two reasons for the closed hearings—to protect Otepka's privacy and to keep secret confidential documents involved in the case.

Speiser said, however, that Otepka had demanded an open hearing and said "all of the documents in question already have been published by the Senate Internal Security subcommittee."

"A further factor militating against the confidentiality argument is that should the decision of the hearing examiner be appealed to a federal court, the record of the closed hearing would become a matter of public record," Speiser added.

Speiser said the Civil Liberties Union has not taken a position on the case itself.

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State to Bare Papers for Otepka Aid

By the Associated Press

The State Department has informed the head of the American Defense Fund that he can get all documents concerning the case of Otto F. Otepka he requested except one which does not exist.

Officials, in reporting this yesterday, said Jason M. Stewart of Wood Dale, Ill., director of the fund, personally called on the department and asked for six sets of documents relating to the case against its former top security evaluator.

Otepka was dismissed from the service in November 1963 but has remained on the payroll at \$20,000-plus a year pending decision on his appeal of the dismissal.

The State Department said it wrote Stewart Wednesday informing him that the documents are available for a nominal charge which the government asks in similar cases.

The American Defense Fund is understood to have been organized to assist Otepka in paying legal expenses of his defense.

Contrary to some published reports, Stewart did not ask for the transcript of the hearings which were held in the State Department between June 6-June 29, officials said. Such transcripts would not have been available anyway, as public and press was excluded from the hearing.

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WASHINGTON (UPI)-- OTTO F. OTEPKA, CONTROVERSIAL STATE DEPARTMENT SECURITY OFFICER CHARGED FOUR YEARS AGO WITH GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS, HAS BEEN REPRIMANDED FOR HIS BEHAVIOUR AND DEMOTED, OFFICIAL SOURCES SAID TONIGHT.

OTEPKA WAS NOTIFIED OF THE ACTION IN A LETTER FROM SECRETARY OF STATE DEAN RUSK TO HIS ATTORNEY, ROBER ROBB.

RUSK FIRED OTEPKA FROM HIS POSITION AS CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE IN NOVEMBER, 1963. HE WAS CHARGED WITH HAVING GIVEN CLASSIFIED DOCUMENTS TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

OTEPKA APPEALED HIS DISMISSAL AND ASKED FOR A HEARING WITHIN THE STATE DEPARTMENT, A PROCEDURE WHICH PERMITTED HIM TO RETAIN HIS TITLE AND SALARY ALTHOUGH HE WAS GIVEN ROUTINE INDEXING DUTIES PENDING THE OUTCOME.

ROBB SAID THAT HE DID NOT KNOW WHETHER OTEPKA WOULD APPEAL RUSK'S FINAL RULING BECAUSE HE AND OTEPKA HAD NOT HAD AN OPPORTUNITY TO DISCUSS IT. THE DEMOTION WOULD COST OTEPKA THE REDUCTION IN GRADE AMOUNTING TO ABOUT TWO THOUSAND DOLLARS LESS PER YEAR. HE IS ON THE PAYROLL NOW AT SLIGHTLY OVER \$20,000.

RUSK'S FINAL DECISION WAS DELAYED BY THE GRANTING OF REQUESTS FROM HIS ATTORNEY FOR A POSTPONEMENT OF THE HEARING UNTIL THE SENATE INTERNAL SECURITY SUBCOMMITTEE HAD MADE PUBLIC ALL THE TESTIMONY IT TOOK FROM OTEPKA.

THE HEARING OFFICER FINALLY AGREED UPON BY THE DEPARTMENT AND OTEPKA WAS A LAWYER WITH THE AGENCY FOR INTERNATIONAL DEVELOPMENT, EDWARD A. DRAGON. IN HIS RULING HANDED DOWN

LAST TUESDAY, DRAGON FOUND OTEPKA GUILTY OF THE DERELICTION CHARGED BUT SUGGESTED THAT RUSK, IN MAKING HIS FINAL DECISIONS, TAKE INTO CONSIDERATION OTEPKA'S ASSERTION THAT THERE WAS NO REGULAR STANDARD OF CONDUCT FOR FEDERAL EMPLOYEES IN THIS AREA.

RUSK APPEARS TO HAVE DONE THIS, SINCE THE ACTION HE HAS NOW TAKEN FALLS FAR SHORT OF DISMISSING OTEPKA, AS HE ATTEMPTED TO DO FOUR YEARS AGO.

OTEPKA NOW HAS THE OPTION OF ACCEPTING RUSK'S ACTION OR APPEALING HIS CASE TO THE COURTS. IF HE TAKES THE LATTER COURSE, HE GOES OFF THE DEPARTMENT PAYROLL.

IT IS UNDERSTOOD THAT THE JOB TO WHICH RUSK HAS ASSIGNED HIM IS IN PERSONNEL WORK BUT OTHER DETAILS WERE NOT AVAILABLE EXCEPT THAT HE WOULD NOT BE IN A POSITION OF AUTHORITY TO HIRE AND FIRE.

INCLUDES PREVIOUS

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WASHINGTON CAPITAL NEWS SERVICE

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Otepka to Stay at State But Is Given Demotion

Associated Press

Otto F. Otepka, the State Department's controversial chief security evaluator, was demoted, reassigned and severely reprimanded, authoritative sources reported yesterday.

The decision, made by Secretary of State Dean Rusk, means that Otepka will not lose his job with the State Department.

Four years ago, in November 1963, he was ordered dismissed from the service for having furnished a Senate subcommittee with classified material without authorization.

In addition to the "severe reprimand" Rusk ordered:

• That Otepka be demoted from civil servant class GS15

to class 14, representing a loss in salary of about \$3000 a year;

• That he be reassigned to duties not involving security matters.

Whether Otepka will acquiesce in the ruling or continue his legal fight outside the State Department could not be ascertained immediately.

Rusk's three-page ruling was dated Dec. 9. He received the report of the hearing officer, Edward Dragon, on Dec. 5.

Otepka's new job, provided he accepts the ruling, will be Management Analyst in the State Department, the sources reported.

File
65-68266
5- [signature]

The Washington Post _____
Times Herald 12/12/67 _____
The Washington Daily News _____
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The Worker _____
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The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

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Otepka Demoted

Otto F. Otepka, controversial State Department security officer charged four years ago with giving confidential information to unauthorized persons, has been reprimanded for his behavior and demoted, official sources said tonight.

Mr. Otepka was notified in a letter from Secretary of State Den Rusk to his attorney, Roger Robb.

Mr. Rusk fired Mr. Otepka from his position as chief of the Evaluations Section of the security office in November, 1963. He was charged with having given classified documents to J. G. Sourwine, chief counsel of the State Internal Security sub-committee.

Mr. Otepka appealed his dismissal and asked for a hearing within the State Department, a procedure which permitted him to retain his title and salary altho he was given routine indexing duties pending the outcome.

Mr. Robb said that he did not know whether Mr. Otepka would appeal Mr. Rusk's final ruling because he had Mr. Otepka had not had an opportunity to discuss it. The demotion would cost Mr. Otepka the reduction in grade amounting to about \$2000 less per year. He is on the payroll now at slightly over \$20,000.

The hearing officer finally agreed upon by the Department and Mr. Otepka was a lawyer with the Agency for International Development, Edward A. Dragon. In his ruling handed down last Tuesday, Mr. Dragon found Mr. Otepka guilty of the dereliction charged but suggested that Mr. Rusk, in making his final decisions, take into consideration Mr. Otepka's assertion that there was no regular standard of conduct for Federal employees in this area. (UPI)

CH. B. Brown
CH. W. H. H. H.
P. C. Moore
E. J. H.

The Washington Post _____
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The Washington Daily News 9 _____
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UPI-34

(OTEPKA)

WASHINGTON--OTTO F. OTEPKA, THE CONTROVERSIAL STATE DEPARTMENT SECURITY OFFICER, TODAY FACED A DECISION ON WHETHER TO ACCEPT DEMOTION OR TAKE HIS CASE TO THE COURTS.

OTEPKA WAS CHARGED FOUR YEARS AGO WITH GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS. HE WAS NOTIFIED LAST NIGHT, IN A LETTER FROM SECRETARY RUSK TO HIS ATTORNEY ROGER ROBB, THAT HE WAS BEING REPRIMANDED AND DEMOTED BECAUSE OF HIS BEHAVIOR.

RUSK ORIGINALLY FIRED OTEPKA FROM HIS POSITION AS CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE IN NOVEMBER, 1963. HE WAS ACCUSED OF HAVING GIVEN CLASSIFIED DOCUMENTS TO J.G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

OTEPKA APPEALED HIS DISMISSAL AND ASKED FOR A HEARING WITHIN THE STATE DEPARTMENT.

ROBB SAID THAT HE DID NOT KNOW WHETHER OTEPKA WOULD APPEAL RUSK'S FINAL RULING BECAUSE HE AND OTEPKA HAD NOT HAD AN OPPORTUNITY TO DISCUSS IT. THE DEMOTION WOULD COST OTEPKA A REDUCTION IN GRADE AMOUNTING TO ABOUT \$2,000 LESS IN SALARY PER YEAR. HE IS ON THE PAYROLL NOW AT SLIGHTLY OVER \$20,000.

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WASHINGTON CAPITAL NEWS SERVICE

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Rusk Demotes Otepka, Offers Him Analyst Job

By the Associated Press

Demotion, reassignment and a severe reprimand have been handed Otto F. Otepka, the State Department's chief security evaluator, authoritative sources report.

The decision by Secretary of State Dean Rusk means Otepka will not lose his job outright as originally ordered in November 1963.

Otepka was accused of giving security information from the department's classified files to the Senate Internal Security subcommittee in violation of standing presidential orders.

Otepka contended in his appeal that his telephone was tapped.

Among the documents Otepka was alleged to have leaked were papers concerning loyalty of some State Department employees.

If Otepka accepts Rusk's ruling, he will take a new job as a management analyst for the department—a position not involving security matters and paying about \$3,000 less a year than his present Grade 15 position.



OTTO F. OTEPKA

-AP

A State Department hearing officer, Edward Dragon, asked Rusk to take into consideration Otepka's defense that there was no uniform standard of behavior for government employees.

Otepka can appeal to the Civil Service Commission or the courts.

The Washington Post _____
 Times Herald _____
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 The Evening Star (Washington) **A2**
 The Sunday Star (Washington) _____
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Date DEC 12 1967

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UPI-105

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT TODAY OFFICIALLY CONFIRMED THAT SECURITY OFFICER OTTO F. OTEPKA HAS BEEN GIVEN A "SEVERE REPRIMAND" AND A SHARP REDUCTION IN SALARY FOR GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS.

PRESS OFFICER ROBERT J. MCCLOSKEY SAID THE ACTION BY SECRETARY RUSK REDUCES OTEPKA'S SALARY TO \$15,106. AT PRESENT HE IS MAKING SLIGHTLY MORE THAN \$20,000 PER YEAR.

OTEPKA, WHO WAS INFORMED OF RUSK'S ACTION LAST NIGHT, DID NOT IMMEDIATELY DISCLOSE WHETHER HE PLANNED TO APPEAL TO THE CIVIL SERVICE COMMISSION OR THE COURTS. SOME OF HIS FRIENDS IN THE DEPARTMENT SAID HOWEVER THEY WERE CONVINCED HE WOULD APPEAL, A STEP WHICH WOULD TAKE HIM OFF THE STATE DEPARTMENT PAYROLL.

RUSK FIRED OTEPKA IN NOV. 1963, ALLEGING THAT HE HAD GIVEN CONFIDENTIAL INFORMATION TO COUNSEL J.G. SOURWINE OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE. OTEPKA APPEALED WITHIN THE FRAMEWORK OF THE STATE DEPARTMENT'S OWN HEARING SYSTEM AND THUS RETAINED HIS TITLE AS CHIEF OF EVALUATIONS FOR THE SECURITY OFFICE AND THE COMMENSURATE TITLE. HE HAS NOT, HOWEVER, DURING THE INTERVENING FOUR YEARS PERFORMED THE DUTIES OF THAT OFFICE, BEING GIVEN ROUTINE WORK IN ANOTHER SECTION.

RUSK'S ACTION, WHICH BECOMES EFFECTIVE AS OF MIDNIGHT TONIGHT WAS TAKEN AFTER THE SECRETARY RECEIVED A REPORT FROM A SPECIAL HEARING EXAMINER, EDWARD A. DRAGON, A LAWYER FOR THE AGENCY FOR INTERNATIONAL DEVELOPMENT.

DRAGON FOUND OTEPKA GUILTY OF CONDUCT UNBECOMING A DEPARTMENTAL OFFICER BUT SUGGESTED THAT RUSK TAKE INTO ACCOUNT THE FACT THAT THERE WERE NO CLEAR GUIDELINES GOVERNING THE ACTIVITIES OF EMPLOYEES IN THE AREA OF THIS CASE.

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WASHINGTON CAPITAL NEWS SERVICE

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OTTO F. OTEPKA

UPI-222

(SECURITY)

DALLAS--DR. ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE, SAID TODAY THAT THE STATE DEPARTMENT MAY FIRE ONE OF ITS SECURITY OFFICERS FOR GIVING THE SUBCOMMITTEE INFORMATION.

MORRIS SAID OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF THE STATE DEPARTMENT'S SECURITY OFFICE, HAS BEEN GIVEN 10 DAYS TO ANSWER CHARGES HE GAVE CLASSIFIED INFORMATION TO THE INTERNAL SECURITY SUBCOMMITTEE.

MORRIS WAS CHIEF COUNSEL OF THE SUBCOMMITTEE FROM 1951 TO 1953 AND AGAIN FROM 1956 TO 1958.

"MR. OTEPKA'S OFFENSE SEEMS TO BE COLLABORATING--NOT WITH COMMUNISTS, WHOM OUR DIPLOMATS ARE EMBRACING--BUT WITH DUTIFUL SECURITY OFFICERS WHO ARE TRYING TO KEEP THEIR APPOINTED ROUNDS IN THE TRADITIONAL FASHION," MORRIS SAID.

MORRIS SAID OTEPKA WAS ACCUSED OF GIVING MATERIAL MARKED "CONFIDENTIAL AND "FOR OFFICIAL USE ONLY" TO J. G. SOURWINE, SUBCOMMITTEE CHIEF COUNSEL. THE SUBCOMMITTEE'S CHAIRMAN IS SEN. JAMES O. EASTLAND, D-MISS.

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WASHINGTON CAPITAL NEWS SERVICE

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Otepka Waits To Try Job ^{NO} Before Appeal

By United Press International

Otto F. Otepka, State Department security officer fired and demoted by Secretary Dean Rusk, will try out his new job before deciding on an appeal, his lawyer says.

The department confirmed yesterday that Otepka, fired by Rusk four years ago for giving confidential information to Congress, was given a "severe reprimand" and that his salary was reduced from about \$20,000 a year to about \$15,000.

Rusk acted after a trial examiner who heard Otepka's appeal upheld his earlier dismissal on grounds he gave the information to the Senate Internal Security subcommittee. Rusk, however, backed down from his original dismissal order and demoted Otepka to the directives staff of the Management Analyst Office.

Otepka's attorney, Roger Robb, said the description of the new post was "too vague" to permit his client to decide now whether he wants to fill it or appeal to a higher authority. He said he would make up his mind later.

Otepka could take his appeal to the Civil Service Commission. If he was turned down there, he could take it to the courts.

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Handwritten signatures and initials:
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The Washington Post _____
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The Washington Daily News _____
The Evening Star (Washington) *A10* _____
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Date DEC 13 1967

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Demoted, Otepka Stays On

Otto F. Otepka, State Department security officer fired and demoted by Secretary Dean Rusk, will try out his new job before deciding on an appeal, his lawyer said yesterday.

The Department confirmed that Otepka, fired by Rusk four years ago for giving confidential information to Congress, had been given a "severe reprimand" and his salary reduced from about \$20,000 a year to about \$15,000.

Rusk acted after a trial examiner who heard Otepka's appeal upheld his earlier dismissal on grounds he gave the information to the Senate Internal Security Subcommittee. Rusk, however, backed down from his original dismissal order and demoted Otepka to the directives staff of the Management Analyst Office.

Otepka's attorney, Roger Robb, said the description of the new post was "too vague" to permit his client to decide now whether he wants to fill it or appeal to a higher authority. He said he would make up his mind later.

If he chose, Otepka could take his appeal to the Civil Service Commission. If he was turned down there, he could take it to the courts. So far, he has been appealing within the framework of the State Department's hearings system.

The Washington Post _____
Times Herald _____ **X**
The Washington Daily News _____
The Evening Star (Washington) _____
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Date **December 13, 1967**
Page **A-2.**

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Otepka Reports To New Job, Takes Leave A23

Associated Press

Otto F. Otepka, former chief security evaluator of the State Department, reported for work yesterday at the office of the Deputy Assistant Secretary for Organization and Management.

Secretary of State Dean Rusk ruled earlier this week that Otepka be reprimanded, demoted and reassigned to the Office for Organization and Management.

Otepka was charged with giving classified information to a Senate subcommittee without authorization.

Otepka showed up yesterday morning, inquired about his new job and then asked to be given leave until early next year. The request was granted.

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People's World _____

Date DEC 14 1967

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Undiplomatic bouncing

For four years the State Department has been trying, not always diplomatically, to get rid of former security officer Otto F. Otepka.

On Dec. 9, Secretary Dean Rusk thought he'd come to a solution.

On the basis of a hearing, he reprimanded Otepka, reduced him in grade from GS-15 to GS-14, and awarded him a cubbyhole. But Otepka is as stubborn as a beard.

He says he is appealing to the Civil Service Commission, but expects that agency quite naturally to sustain the administration verdict. Then he will start the long fight through the courts.

"This has cost me \$24,000 for lawyers," Otepka sighs, "and I haven't even gotten my case out of the State Department."

His troubles started, he says, when he stood up against the palsy-walsy establishment within the State Department, where cliques protect their members.

Otepka, 48, was chief of the evaluations branch in the security section. He conducted no investigations himself, but evaluated FBI investigations of department employees.

The son of an immigrant blacksmith from Czechoslovakia, Otepka, a Civil Service employee, considered himself a loyal and trustworthy worker.

He was a loner, however, among the homburgs. He was not a member of any of the elite cliques that hold much power within the department. That alone went against the grain of higher-ups.

Otepka maintains that he became a target of the tony "in-crowd" because, ironically, he did his job all too well.

Time and again he refused security clearance to pals of The Established Order. For example, he opposed the rehabilitation and rehiring of Alger Hiss

and John Paton Davies. The latter had been fired by the department on security grounds—only to be secretly hired by the CIA.

State even tried to get rid of Otepka by promoting him. In 1963 he was offered a plush position in the Foreign Service, but he refused.

He declined the offer—knowing full well, he said, that the purpose was simply to get rid of him some how.

In December, 1960, Otepka says, Secretary Rusk called him in for a behind-the-doors chat to sound out his thoughts on security measures. He says he informed the Secretary bluntly, that he would adhere to the letter of the law.

Rusk, he says, then informed him the administration wanted to appoint Walt Rostow to a big position in State. As the result of Otepka's evaluation, Rostow could not be cleared for State. He had refused clearance before by the Air Force and State.

Otepka explains that Rostow was refused security clearance on the basis of family background tinged with socialism. He says that regulations gave him no choice but to evaluate as he did.

This unbending attitude was to get him in trouble.

The White House wanted Rostow. The regulations were simply circumvented. Rostow was taken on by the White House, so State wasn't involved in security check (although the FBI investigated). Then Rostow was reassigned to State.

Nothing was found against Rostow. He was barred from State security by the regulations—and unbending Otepka.

Rostow now is a special assistant to the President.

This was a typical case where Otepka was unyielding. Eventually he was charged with giving State papers to a Senate committee, then his long fight on the principle of the thing began.

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Rep. John Ashbrook, Ohio Republican, says "the abuses of some State Department officials read like a chapter from the Mafia: safecracking, mutilation of documents—a federal offense in this case—possible perjury, wiretapping."

As result of the long, drawn-out case, Otepka's wife, Edith, has had to go back to teaching school. She says: "I know Otto is right. I know things are bound to come out all right in the end."

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The Washington Daily News _____
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THE WASHINGTON POST
Thursday, Dec. 21, 1967 A 25
**Otepka Appeals
U.S. Demotion**
Chicago Tribune Press Service
Otto F. Otepka, former chief
security evaluator in the State
Department, yesterday ap-
pealed his recent demotion to
the Civil Service Commission.
Otepka charged that the de-
motion to non-security duties,
approved by Secretary of
State Dean Rusk on Dec. 9, ig-
nored the law and, in effect,
declared he was a security
risk.

The Washington Post _____
Times Herald **X** _____
The Washington Daily News _____
The Evening Star (Washington) _____
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Date **December 21, 1967**
Page **A25**

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OTEPKA APPEALING DEMOTION BY RUSK

Ex-Security Official Takes
Case to Civil Service

WASHINGTON, Dec. 21 (AP)—Otto F. Otepka, the State Department's former chief security evaluator, has appealed Secretary of State Dean Rusk's decision to demote, reassign and severely reprimand him, his lawyer said today.

The appeal was submitted to the Civil Service Commission, the attorney, Roger Robb, said.

The commission will consider the appeal without hearings, on the basis of material to be submitted by Mr. Robb and Irving Jaffe, a Justice Department attorney who represents the Government in the case.

There is no time limit for the appeal section of the Civil Service Commission to hand down a decision, Mr. Robb said.

He said Mr. Otepka had accepted a job as a management analyst offered him by the State Department after Mr. Rusk's decision.

This means, department officials explained, that Mr. Otepka remains on the payroll despite his appeal. In his new job he will earn \$15,106 a year. His pay in the security post was more than \$20,000.

Mr. Rusk dismissed Mr. Otepka in November, 1963, on charges that he had given classified material to J. G. Sourwine, counsel of the Senate Internal Security subcommittee, without authorization.

Mr. Otepka appealed within the department and was held guilty of "conduct unbecoming an officer of the Department of State." But Edward A. Ragon, the hearing officer, recommended that Mr. Rusk, in making his final decision, consider Mr. Otepka's argument that there was no "established standard of conduct" for Federal employees.

The order for demotion and reprimand—rather than dismissal—was the result.

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The Washington Daily News _____
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New York Post _____
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The National Observer _____
People's World _____
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OTTO F. OTEPKA

OTTO F. OTEPKA

UPI-85

(SECURITY)

WASHINGTON--CHAIRMAN JAMES O. EASTLAND, D-MISS., OF THE SENATE INTERNATIONAL SECURITY SUBCOMMITTEE CHARGED TODAY THAT LENGTHY HEARINGS HAD DISCLOSED MANY SHORTCOMINGS IN STATE DEPARTMENT PROCEDURES REGARDING PERSONNEL SECURITY.

EASTLAND AND THE SUBCOMMITTEE VICE CHAIRMAN, SEN. THOMAS J. DODD, D-CONN., SAID RECOMMENDATIONS WOULD BE MADE SOON FOR CONGRESSIONAL LEGISLATION TO CLOSE "GAPS" IN PERSONNEL SECURITY ARRANGEMENTS.

EASTLAND AND DODD ALSO CALLED FOR A COMPLETE VINDICATION OF STATE DEPARTMENT SECURITY OFFICER OTTO OTEPKA, WHO LAST MONTH WAS REPRIMANDED AND DEMOTED AFTER A STATE DEPARTMENT HEARINGS ON CHARGES THAT HE GAVE UNAUTHORIZED INFORMATION FROM PERSONNEL SECURITY FILES TO THE SUBCOMMITTEE.

EASTLAND AND DODD STATED THEIR "INDIVIDUAL VIEWS" IN A STATEMENT PREFACING A SUBCOMMITTEE REPORT BASED ON HEARINGS ON REGARDING STATE DEPARTMENT SECURITY, WHICH LASTED FROM 1963 TO 1965. THE SUBCOMMITTEE LAST YEAR RELEASED 20 VOLUMES OF THE TESTIMONY, MUCH OF IT CONCERNED WITH THE OTEPKA CASE.

THE REPORT ISSUED SATURDAY, ONE OF SEVERAL THE SUBCOMMITTEE PLANS, DEALT PARTICULARLY WITH THE QUESTION OF WHETHER THE STATE DEPARTMENT OFFICIALS WERE ON SOLID GROUND IN INTERPRETING A PRESIDENTIAL ORDER OF 1948 FORBIDDING THE RELEASE OF CONFIDENTIAL INFORMATION FROM PERSONNEL SECURITY FILES.

THE POSITION TAKEN BY EASTLAND DODD WAS THAT "NO LEGISLATIVE BODY CAN DISCHARGE ITS DUTIES WITH MAXIMUM EFFICIENCY WITHOUT THE POWER TO CONDUCT EFFECTIVE INVESTIGATIONS RESPECTING THE ACTIVITIES IN THE EXECUTIVE BRANCH OF THE GOVERNMENT, MOST SPECIALLY WHERE THE WRONGDOING OR SUBVERSIVE ACTIVITY IS INVOLVED."

DURING THE HEARINGS THE SUBCOMMITTEE COUNSEL, J.R. SOURWINE, REPEATEDLY CHALLENGED THE CONTENTION BY SECRETARY OF STATE DEAN RUSK AND OTHERS THAT DEPARTMENT OFFICIALS WERE FORBIDDEN UNDER EXECUTIVE ORDER TO DISCLOSE CERTAIN TYPES OF PERSONNEL INFORMATION WHICH THE SUBCOMMITTEE WANTED.

55 JAN 11 1968

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WASHINGTON CAPITAL NEWS SERVICE

SEN. STROM THURMOND, R-S.C., JOINED EASTLAND AND DODD IN SUPPORTING OTEPKA. IN A STATEMENT OF HIS INDIVIDUAL VIEWS, HE CHARGED THAT OTEPKA HAD BEEN WRONGED AND DESCRIBED HIM AS "A DEDICATED AND LOYAL PATRIOT WHO HAS SUFFERED EXTRAORDINARY CALCULATED HARASSMENT BECAUSE HE ATTEMPTED TO CARRY OUT CONSCIENTIOUSLY THE NATIONAL SECURITY PROGRAM PRESCRIBED BY LAW OR LEGISLATION."

OTEPKA, AT THAT TIME CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE, WAS FIRED BY RUSK IN NOVEMBER, 1963, FOR ALLEGEDLY GIVING THE SUBCOMMITTEE CLASSIFIED INFORMATION FROM PERSONNEL SECURITY FILES. OTEPKA TESTIFIED THAT HE DID DO ONLY TO REBUT MISINFORMATION ABOUT HIM PREVIOUSLY PROVIDED TO SUBCOMMITTEE BY HIS SUPERIORS.

OTEPKA APPEALED HIS DISMISSAL AND REMAINED ON THE STATE DEPARTMENT PAYROLL AT \$20,000 PER YEAR, ALTHOUGH HE WAS ASSIGNED TO NONPERSONNEL SECURITY MATTERS PENDING A FINAL DECISION.

AFTER A SERIES OF DELAYS AND POSTPONEMENTS, OTEPKA'S APPEAL WAS HEARD LAST YEAR BY A HEARING OFFICER, EDWARD A. DRAGON, A LAWYER FOR THE AGENCY OF INTERNATIONAL DEVELOPMENT, UPON WHOM BOTH SIDES HAD AGREED.

DRAGON FOUND OTEPKA GUILTY OF CONDUCT UNBECOMING OF A DEPARTMENTAL OFFICER, AND HIS RECOMMENDATION LED RUSK LAST MONTH TO REVISE HIS ORIGINAL DISMISSAL ORDER. OTEPKA WAS REPRIMANDED, REDUCED IN RANK WITH A \$5,000 PER YEAR SALARY CUT, AND ASSIGNED TO GENERAL ADMINISTRATIVE CHORES.

HE HAS APPEALED HIS DEMOTION TO THE CIVIL SERVICE COMMISSION.
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Otepka Praised by Three Senators

Associated Press

Three Senators heaped praise yesterday on Otto F. Otepka and one of them accused the State Department of obstructing the work of Congress.

The individual views on the case of the demoted former security officer came from Sens. James O. Eastland, (D-Miss.), Thomas J. Dodd, (D-Conn.), and Strom Thurmond, (R-S.C.). They are printed in a new volume on "State Department Security" released yesterday by the Senate Subcommittee on Internal Security.

Eastland and Dodd, the subcommittee's chairman and vice chairman respectively, made a joint statement. Thurmond issued a separate one.

The two senatorial statements, printed as introductions to the report, are the only new material in the volume, the first in a series of four.

Otepka, the State Department's former chief security evaluator, was dismissed from the service in November, 1963, on charges that he violated rules by giving classified

material to J. G. Sourwine, counsel for the subcommittee. Otepka appealed and was secretary of State Dean Rusk ruled last month that he should be demoted, reassigned and severely reprimanded, but not dismissed.

Eastland and Dodd said that Otepka set an inspiring example by remaining steadfast to the uncompromising principles and high standards which should motivate a majority of the professional security officers who serve our Government.

Thurmond joined the two Democrats in praising Otepka but went far beyond them in assailing the State Department. He said in the Department's personnel security policy "is manifestly contrary to the intentions of Congress. The State Department has indulged in illegal acts, the destruction of the careers of honest men, misrepresentation, and perhaps perjury, in order to prevent Congress from carrying out its constitutional functions. This is an arrogant challenge which must not be allowed to stand."

The Washington Post

Times Herald *A 19*

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

The Sun (Baltimore)

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The National Observer

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3 Senators Laud Otepka, Hit State

By the Associated Press

Three senators heaped praise yesterday on Otto F. Otepka and one of them accused the State Department of obstructing the work of Congress.

The individual views on the case of the demoted former State Department security officer came from Sens. James O. Eastland, D-Miss.; Thomas J. Dodd, D-Conn.; and Strom Thurmond, R-S.C. They are printed in a new volume on "State Department Security" released yesterday by the Senate Subcommittee on Internal Security.

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Otepka has appealed this ruling to the Civil Service Commission. Meanwhile, he remains on the payroll.

'Debt of Gratitude'

Eastland and Dodd said Otepka set an inspiring example by "remaining steadfast to the uncompromising principles and high standards which should and must be maintained by those who serve our government."

Eastland and Dodd said that "the Senate, the Congress and the country owe a debt of gratitude—a debt which today remains still unpaid—to Otto Otepka."

None of these bodies, it added, "should be willing to consider the Otepka case closed until Mr.

Otepka stands free of all continued punishments or harassments of any kind... we must not rest until full justice has been done to Otto Otepka."

Thurmond joined the two Democrats in praising Otepka, but went far beyond them in assailing the State Department. He said in his statement that Rusk's decision to demote Otepka "confirms in many ways the disturbing findings" of the subcommittee. He said what he called stubborn insistence of the department in maintaining three charges against Otepka represent a grievous scandal.

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The National Observer _____
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Date January 7, 1968
Page A-2

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Senators Hit State Dept. In Otepka Case Report

A2 By the Associated Press

The Senate internal security subcommittee accuses the State Department of dealings mildly with three of its officials who allegedly "bugged" the office phone of Otto F. Otepka, the department's demoted security chief.

The subcommittee said in a report released today that the department "allowed two witnesses who had lied to the subcommittee to resign with no prejudicial material in their personnel files to prevent further government employment, and it retained . . . one of the trio on its payroll."

Otepka was demoted, reprimanded and reassigned for hav-

ing furnished the subcommittee's counsel, J. G. Sourwine, with classified material in 1963. He appealed to the Civil Service Commission after Secretary of State Dean Rusk decided the case last December.

The subcommittee said because of the "soft treatment" of the three employees, "the impression has inevitably been created—and only the State Department can undo this impression—that it regards perjury before a committee of Congress as a quite minor matter."

The State Department had no comment.

The charge was made in the second part of the subcommittee's report summing up findings of its 1963-65 hearings on State Department security in general and the Otepka case in particular. The report reprints testimony made public earlier, interposing the subcommittee's opinion about witnesses and their testimony.

The three referred to are John Reilly, former deputy assistant secretary for security; Elmer D. Hill, former head of the division of technical services in Reilly's office; and David I. Belisle, then Reilly's special assistant.

The subcommittee said Reilly and Hill first denied but later admitted they had installed a listening device in Otepka's of about it after his return, the fice. Belisle, who was out of the country when the "bug" was installed, denied any knowledge of it, but later said he was told report added.

Reilly and Hill were first suspended, then both retired. Belisle did not resign and is now an administrative officer at the U.S. Embassy in Bonn.

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IS PERJURY UNIMPORTANT?

The latest chapter in the case of Otto F. Otepka, demoted years ago as State Department security chief and recently reprimanded by Secretary Dean Rusk, has just been written by the Senate Internal Security subcommittee.

Otepka Story's Latest Chapter

Three State Department employees told the subcommittee three widely differing stories about bugging Mr. Otepka's office prior to his demotion. The trio—David I. Belisle, Elmer D. Hill, John Reilly—were treated with great leniency by the State Department, especially as regards their personnel files. Says the subcommittee:

The impression has inevitably been created—and only the State Department can undo this impression—that it regards perjury before a committee of Congress as a quite minor matter.

Your move, Mr. State Department.

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
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 The National Observer _____
 People's World _____

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UPI-101

(EASTLAND)

WASHINGTON--THE SENATE INTERNAL SECURITY SUBCOMMITTEE TODAY ACCUSED THE STATE DEPARTMENT OF PUNISHING SIX ASSOCIATES OF ITS FORMER TOP SECURITY EVALUATOR, OTTO F. OTEPKA, THROUGH A "GUILT BY ASSOCIATION" POLICY.

OTEPKA WAS REMOVED FROM HIS POSITION AFTER HE GAVE THE COMMITTEE HIS OWN ACCOUNT OF A PURPORTED DEPARTMENTAL CONTROVERSY OVER HIS STRICT ADHERENCE TO FEDERAL SECURITY LAWS, SEN. JAMES O. EASTLAND, D-MISS., THE SUBCOMMITTEE CHAIRMAN, SAID.

EASTLAND RELEASED A SUBCOMMITTEE REPORT OF THE 1963-65 HEARINGS SAYING THE STATE DEPARTMENT AT THE SAME TIME

TRANSFERRED SIX OF OTEPKA'S ASSOCIATES WHO SUPPORTED HIM IN THE CONTROVERSY, SENDING ON AS FAR AWAY AS EL PASO, TEX.

"IN THIS SUDDEN, DRAMATIC STAFF SHAKEUP," THE REPORT SAID, "THE DEPARTMENT TOLD SOME OF THE TRANSFEREES THAT THEY HAD TALENTS NEEDED IN ANOTHER PROJECT. IT COINCIDED WITH THE MOVE TO GET RID OF OTEPKA."

"IT IS, THEREFORE, BEYOND REASONABLE BELIEF THAT THE THINGS ALL HAPPENED BY COINCIDENCE," THE ONLY LOGICAL CONCLUSION IS THAT WHEN "OTEPKA SUPPORTERS" WERE SWEEPED OUT OF THE EVALUATION DIVISION IT WAS PART OF A PATTERN TO SMASH THE OTEPKA INFLUENCE AND PHILOSOPHY.

"AND SINCE NO SERIOUS CHARGES WERE PLACED AGAINST HIS SUPPORTERS THIS SUGGESTS THE USE OF 'GUILT BY ASSOCIATION'--A PRACTICE OFTEN BITTERLY DENOUNCED BY PSEUDO-LIBERALS, BUT JUST AS FREQUENTLY USED BY SOME OF THEM WHEN CONVENIENT."

EASTLAND'S SUMMATION OF THE REPORT IN A PUBLIC STATEMENT DID NOT NAME THE SIX ASSOCIATES.

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70 JAN 26 1968 WASHINGTON CAPITAL NEWS SERVICE

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Senate Unit Asks Otepka 'Justice'

The Senate Internal Security subcommittee has concluded that the case of Otto Otepka—demoted from his job as the State Department's security chief—should not be closed until he receives "full justice."

Otepka originally was dismissed for giving classified State Department documents without authorization to the subcommittee's chief counsel, J. G. Sourwine, in 1963. Secretary of State Dean Rusk ruled last December that the punishment should be limited to a demotion, reassignment and a reprimand. Otepka has appealed to the Civil Service Commission.

The subcommittee has issued 24 volumes on its hearings on the Otepka case.

The comments and conclusions represent the views of the entire subcommittee, Sourwine said yesterday.

The Washington Post _____
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The National Observer _____
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Senator Demands Work For Two in State Dept.

Sen. John J. Williams, R-Del., threatened to ask for dismissal of top State Department officials unless they give two department employees something to do. B. APPROX. 1926

Williams said the employees, Harry M. Hite and Edwin A. Burkhardt, have been sitting in an old department annex at 22nd and D Streets since November 1965 with no work to do in spite of repeated requests for assignments.

"Their only crime is they told the truth to a Senate committee," Williams said.

He said they had testified in Senate hearings on the case of Otto Otepka, a former State Department security officer who has been disciplined and demoted for giving Senate committee staffs access to department records which Otepka said showed poor security at the department.

"These two men are back in the corner. I had to search for them for about 10 minutes," Williams said. "Their only duty is to report at 9 and to sit there and look at each other."

The lawmaker said that if nothing is done by the State Department about Hite and Burkhardt within the next 72 hours, "I will introduce a resolution asking for the immediate removal of their superiors."

He did not identify the superiors.

B. APPROX. 1924

D.C. Md.

The Washington Post

Times Herald _____

The Washington Daily News _____

The Evening Star (Washington) *pg. A-2*

The Sunday Star (Washington) _____

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

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The Sun (Baltimore) _____

The Worker _____

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The Wall Street Journal _____

The National Observer _____

People's World _____

Date *Feb. 14, 1968*

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OTEPKA BACKERS FREED FROM 'EXILE'

Cold War Ends for 2 in State Department

by DAN THOMASSON
Cripps-Howard Staff Writer

In less than one day a Congressional and press blitz has freed two Federal employees from a State Department "Siberia" where they had languished for more than two years. Exile ended today for Harry Hite, 42, and Ed Burkhardt, 44, only a few hours after two U.S. senators summoned by the press, visited their croach-infested office in a nearly empty State Department annex.

They were given new assignments in the Department's sparkling main headquarters less than a week away.

Mr. Hite and Mr. Burkhardt were banished from the mainstream of State Department activity about four years ago after testifying in behalf of their former boss, Otto Otepka — the controversial security officer fired for speaking out against his superiors.

For about a year, they were given quarters in the main Department building and assigned to a highly secret project in the Bureau of Inter-American Affairs. The project was so "sensitive" they didn't know what it was.

Then, in 1965, they were sent to the annex with no work assignment at all. They spent their time reading newspapers and periodically writing notes to superiors who didn't bother to reply.

For a time, they had a secretary. But she came to the office one day, found a dead mouse in the wastebasket and tearfully called the main building to ask for a transfer.

When the secretary went the men's only contact with those who run the State Department. The secretary would pick up their checks every other day, carry back news and collect their mail, never there was any.

About their exile, the two men maintained a 9 a.m. to 5:30 p.m. schedule "just to give no reason to fire us."

For more than three years, Mr. Hite and Mr. Burkhardt didn't even have a performance rating under Civil Service regulations requiring such ratings once a year.

When they noticed the few people in the building moving out and they learned from the janitor or operator the structure was to come down, they were all prepared to sit here and let the fall down around us," Mr. Burkhardt said.

That won't be necessary since Sen. John J. Williams (R., Del.) and Bourke Hickenlooper (R., Iowa), both ranking members of the Senate Foreign Relations Committee, visited the men and came away threatening to tear the bricks down around State Department brass if something weren't done immediately.

"This thing doesn't even go on in Russia,"

cracked Sen. Hickenlooper. "It isn't going to happen here."

Red-faced State Department Chiefs — mumbling something about wishing they had known sooner — moved quickly to offer Mr. Burkhardt and Mr. Hite "meaningful" assignments to which they report today.

Coffman *Eggen*

The Washington Post

Times Herald _____

The Washington Daily News 7

The Evening Star (Washington) _____

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2 'Isolated' Otepka Aides Get Work

Sen. John J. Williams (R-Del.) protested yesterday that the State Department was maintaining "an isolation ward" for two officials who once were members of Otto F. Otepka's security staff.

In a Senate speech, Williams warned that he would demand the removal of whoever at State was responsible unless the situation was remedied within 72 hours.

Deputy Under Secretary for Administration Idar Rimestad's office quickly reassigned the two men, Harry Hite and Edwin A. Burkhardt, before the afternoon was over.

Williams said the two were being punished "for telling the truth to a Senate subcommittee" in its investigation of the Otepka case.

Once the State Department's deputy security director Otepka was ordered fired in 1963 by Secretary of State

Dean Rusk for supplying classified documents to the Senate Internal Security Subcommittee, Rusk changed this order two months ago to a demotion and a reprimand. Otepka is appealing to the Civil Service Commission. Hite and Burkhardt were both bumped from their secu-

rity posts shortly after Otepka was ordered out.

The two were assigned to the Bureau of Inter-American Affairs, but Williams said they have actually been "twiddling their thumbs" for the past 16 months on an otherwise deserted floor of a State Department annex.

Williams said he was "shocked." Both Hite, who earns \$15,307, and Burkhardt, who makes \$12,890 a year,

have had "practically no work since 1965" and none since 1966, although both repeatedly asked for assignments, the Senator said.

The new assignments were found quickly yesterday afternoon. Hite was given procurement and contracting duties in the State Department's Division of Supply and Transportation. Burkhardt was named a personnel security evaluator in the Employment Division.

REC-23

B. APPROX. 1924

The Washington Post

Times Herald ☒

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

The Sun (Baltimore)

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date February 15, 1968
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New Security Job for Otepka?

Otto F. Otepka may be down, but, his supporters insist, he's not out. Senate Judiciary Chairman James O. Eastland (D-Miss.) is sponsoring a bill to create a new security agency that, he says, would be just right for Foggy Bottom's former guardian of security clearances. The proposed new agency would take over security checks for the State Department and most other civilian branches of the Government.

Otepka was fired as State chief security evaluator in 1963 for supplying classified documents to Eastland's Internal Security Subcommittee. Two months ago, after a long legal hassle, Secretary of State Dean Rusk ordered him demoted to a non-security post instead.

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Times Herald _____ *PA-2*
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EX-OTEPKA AIDES A1

2 Jobs at State That Aren't

B. APPROX 1926

By JAMES WELSH
Star Staff Writer

For the last 15 months Harry M. Hite and Edwin A. Burkhardt have been paid to do nothing.

Every workday morning at 8:45 they have reported to a dreary suite of offices, labeled Bureau of Inter-American Affairs, Special Projects Staff, in an all-but-deserted State Department annex building at 23rd and D Streets NW.

They would read newspapers, play the radio, talk, drink coffee, go to lunch, come back, read some more, and occasionally fire off memos to their State Department superiors asking for something to do or for a reassignment.

Every Thursday they drew their pay—Hite, 42, of Vienna, Va., a GS-13 making \$15,304 a year, Burkhardt, 44, of Colesville, Md., a GS-12 making \$12,989.

An uneventful life — uneventful until yesterday, when Sen.

John J. Williams, R-Del., rose on the Senate floor to threaten a move for dismissal of their superiors, whom he did not name, unless they gave a useful assignment to the two men within 72 hours.

"Their only crime," Williams said, "is that they told the truth to a Senate committee" concerning Otto Otepka.

In March 1967, Hite and Burkhardt, then security officers working for Otepka, at that time the department's chief security evaluator, testified in behalf of their boss. Since then, Otepka has been disciplined and demoted for giving Senate committees access to department security records.

Rep. H. R. Gross, R-Iowa, followed Williams with an even stronger statement. He said the two men had been banished to The State Department's "Siberia." If nothing is done about it, he said, "heads should roll at the State Department, and the next man to go should be Deanusk."

Sen. James Eastland, D-Miss., chairman of the Internal Security subcommittee, fired off a letter to the State Department at the end of last month, saying that he called the two men "a pair of fools."

To Get New Jobs

With all the flack, State began moving. At 5:15 p.m. came a terse departmental statement that the two men were to be given new jobs. Hite will go to State's division of supply and transportation to do procurement and contracting work. Burkhardt again is to be a security evaluator in the office of personnel.

Their old work had been "phased out," and the department has been working for some time on reassigning them, said the statement.

According to Hite and Burkhardt, they had little meaningful work to do, ever since they were abruptly transferred from security work to the Bureau of Inter-American Affairs two weeks after they testified in behalf of Otepka's stand against State.

"We were told we were assigned to a highly sensitive project, and we were instructed not to discuss it," Hite told reporters yesterday.

Said Burkhardt: "Because of that, we can't tell you about it, but I will say there was little of substance to the project."

Said Hite: "It was nothing we could sink our teeth into."

They said the work gradually dwindled until October 1966, when they were informed the jobs would be abolished. They were told reassignment would come within a few days. It never came.

A Lonely Place

As time went on, they became increasingly isolated in the annex building. More and more offices were relocated. By yesterday, Hite and Burkhardt were the only occupants of the first four floors, and visitors had a tough time locating them.

Neither man makes any secret of his belief the Otepka affair was at the root of their limbo-like status.

"There's no doubt of it," said Hite. "The only thing I'm puzzled at is why a government employee should be treated this way. If we had done something wrong, we should have been fired."

"We've stayed on as a matter of principle. If they thought they would force us to resign, they were wrong."

Hite and Burkhardt kept their sense of humor.

On a wall of Hite's office is a blue and yellow pennant reading "State Pen." On his door is a cartoon showing a man with a crate for a desk and two other men in the office, one of them saying: "We've tried everything, but we can't make Smedley resign."

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In Burkhardt's file cabinet is
a sticker saying: "This job is so
secret I don't know what I'm
doing."

Secretary Demanded Out

But their secretary, Vivian
Murdoch, couldn't quite make it.
She had no work to do, either.
And by last week, according to
the two men, she was frightened
by the dark and emptiness of the
building.

"What finally did it," said
Hite, "was the mouse she saw in
the wastebasket last Wednesday.
Under other circumstances, it
would have been funny. But she
called up and demanded a trans-
fer, and they gave it to her."

Hite said he and Burkhardt
sent off numerous memos to
their superiors, most of which
weren't answered. They said
they haven't talked to their
immediate superior, James T.
Waldon, who is comparatively
new on the job.

Waldon refused to comment on
the matter yesterday.



-Star Photographer Paul Schmick

Hite and Burkhardt in their office.

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UPI-113 (OTEPKA)

WASHINGTON--OTTO F. OTEPKA, WILL GET A HEARING THURSDAY BEFORE A CIVIL SERVICE COMMISSION EXAMINER IN A FRESH APPEAL OF HIS DEMOTION FROM A TOP SECURITY JOB AT THE STATE DEPARTMENT.

THE EXAMINER WILL PREPARE RECOMMENDATION FOR SUBMISSION TO THE COMMISSION'S APPEAL BOARD WHICH WILL THEN REPORT TO THE FULL CIVIL SERVICE COMMISSION.

OTEPKA WAS DEMOTED TO NONSECURITY DUTIES AND REPRIMANDED BY SECRETARY OF STATE DEAN RUSK LAST DEC. 9.

OTEPKA HAS BEEN UNDER INVESTIGATION BY THE STATE DEPARTMENT FOR FOUR YEARS ON CHARGES THAT HE GAVE CONFIDENTIAL DOCUMENTS IN VIOLATION OF A PRESIDENTIAL ORDER TO THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

IF THE CIVIL SERVICE COMMISSION DOES NOT APPROVE OTEPKA'S APPEAL, HE IS EXPECTED TO FIGHT HIS DEMOTION AND REPRIMAND BY RUSK THROUGH THE COURTS.

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WASHINGTON CAPITAL NEWS SERVICE

AN APPEAL FOR JUSTICE

Otto B. Otepka, the State Department security man who was hounded, harassed and badly demoralized for trying to do his job, will get another shot at vindication this week. At least he will if, as scheduled, his appeal is heard by the Civil Service Commission on Thursday.



Otto Otepka

Delay would be no novelty in this case, which has been strung out since 1963, when State's officialdom told Otepka he was to be fired.

Otepka's "crime"—on the record at least—is that he passed classified information to the Senate Internal Security subcommittee during an SISS probe of departmental security machinery.

It was not until last summer that State held a hearing on the charges. Otepka was judged a sinner and Secretary of State Dean Rusk gave him the prescribed dressing down, dropped him a notch in the civil service scale, and shunted him into a meaningless assignment.

A funny thing about that hearing. Originally, there were 13 charges brought against Otepka. All but three were dropped, presumably because testimony on the others might have embarrassed important people.

That is Otepka's contention, included in a lengthy defense brief originally prepared for the State Department trial by attorney Roger Robb and now forwarded to the commission.

The Robb document presents—

A SORRY AND SORDID CHRONICLE

—of an unrelenting "get Otepka" vendetta waged by his bureaucratic superiors. Between 1961 and 1963, he was systematically needled, insulted, downgraded, circumvented, undercut and overruled.

His safe was rifled in the dark of night; his phone was tapped; his trash bag was pawed over for evidence; he was denied access to information needed for his work.

Otepka was State's top personnel security evaluator when the campaign began. He had been doing such work since 1953 in the department and earned warm praise.

But his mistake, apparently, was in violating—

THE ELEVENTH COMMANDMENT

—which in Otepka's bureaucratic world reads: Thou Shalt Not Rock the Boat.

He did—by refusing to depart from the rules and regulations laid down for security clearance of State employees.

Otepka made his stand clear in December 1960 in a talk with Robert F. Kennedy and Rusk, soon to be attorney general and secretary of state, respectively, in the cabinet of John F. Kennedy.

They wanted special treatment for Walt Whitman Rostow, now on President Johnson's staff and then a JFK pick for a high policy post under Rusk. Otepka had given Rostow a bad review on a security check in 1955. At the 1960 meeting, he said he would stand his ground.

They went to the White House menate on an FBI clearance and later was shifted to the State Department. But early in 1961, Otepka uncovered some—

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The Washington Post
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The National Observer
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STRANGE GOINGS ON

—in security procedures at State. In the files were hundreds of clearances and waivers of clearance that had been back-dated to cover the fact that the people concerned had been taken on without proper approval.

Word of this leaked to SISS, and the hunt for Otepka's scalp was on.

It took more than two years of pressure and, finally, some back-knifing testimony to SISS by his superior before Otepka finally was driven to defend himself by presenting the subcommittee with the documents in question.

No persecution delusions are involved in this matter. Six colleagues who stood by Otepka were farmed out, eased out, or shuffled into do-nothing posts. At the same time, two men who denied under oath any knowledge of the tap on Otepka's phone—and were caught in their lie—were let off painlessly by State. One is still in the department; his buddy got another government job.

A terrible and serious wrong appears to have been done to a loyal and efficient worker. We hope the CSC gets to the bottom of it.

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Otepka Gets New Hearing

Otto F. Otepka will get a hearing before a U.S. Civil Service Commission examiner tomorrow in a new appeal of his demotion from a top security job at the State Department.

The examiner will prepare recommendations for submission to the commission's Appeal Board, which in turn will report to the full commission.

Mr. Otepka was demoted to nonsecurity duties and officially reprimanded by Secretary of State Dean Rusk last Dec. 9 after an investigation that lasted four years. He was charged with giving confidential documents to the Senate Internal Security Sub-committee in violation of a presidential order. (UPI).

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Otepka Pleads Case

JAMES T. MASTERSON, chief of the Civil Service Commission's appeals examining office, heard Otto Otepka's arguments against his demotion last December by the State Department and assignment to non-sensitive duties. Mr. Otepka outlined the reasons why he felt he should be restored to his previous position as chief of the evaluations division of the State Department's Security Office.

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UPI-49

(OTEPKA)

WASHINGTON--OTTO F. OTEPKA'S DEMOTION AND REPRIMAND AT THE
STATE DEPARTMENT HAS BEEN UPHOLD BY THE CIVIL SERVICE COMMISSION, U.S.
OFFICIALS DISCLOSED TODAY.

OTEPKA, WHO IS PRESENTLY ON LEAVE, WAS NOT AVAILABLE FOR COMMENT
ON THE ACTION AND THERE WAS NO IMMEDIATE INDICATION WHAT HIS NEXT MOVE
WOULD BE IN FIGHTING THE STATE DEPARTMENT DEMOTION DECIDED ON LAST
DECEMBER BY SECRETARY RUSK.

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FOR MR. TOLSON

WASHINGTON CAPITAL NEWS SERVICE

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Civil Service Upholds State Dept. on Otepka

Associated Press

The Civil Service Commission has upheld the State Department's disciplinary action against Otto F. Otepka, former chief security evaluator for the department, a partner of Otepka's lawyer said yesterday.

The commission itself declined to comment on its decision in Otepka's appeal against the discipline until it was sure Otepka himself has been notified. Otepka could not be reached immediately.

Otepka was fired from his security post in November, 1963, on grounds that he gave classified documents, without authorization, to a Senate subcommittee investigating State Department procedures. He appealed within the department, and last Dec. 11, Secretary of State Dean Rusk rescinded the dismissal and ordered him demoted, reassigned and reprimanded.

Otepka appealed that deci-

sion to the Civil Service Commission.

H. Donald Kistler, a partner in the Washington law firm of Robb, Porter, Kistler and Parkinson, said the firm received a letter this morning with notification that the Civil Service Commission had upheld the State Department. Roger Robb, Otepka's attorney in the case, was out of town on another case, Kistler said.

The point disputed in the case was whether Otepka was within his rights in delivering—as he admitted doing—three classified documents to the Senate Internal Security Subcommittee.

The State Department contended that by so doing, he violated a presidential directive forbidding the disclosure of classified personal security files.

Otepka is now on leave without pay, at his own request, until June 15.

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OTTO OTEPKA
... appeal denied

The Civil Service Commission upheld Secretary of State Dean Rusk's decision to reprimand and demote Otepka for furnishing three classified documents, without authorization, to the Senate Internal Security Subcommittee.

Otepka Ruling

Otto F. Otepka, whom the State Department ousted in 1963 as its top specialist on security risks, lost another round yesterday in his series of appeals.

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Date May 22, 1968
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THE WASHINGTON POST Saturday, Oct. 5, 1968 A 13

Otepka Vows Court Appeal

Otto F. Otepka lost the last Civil Service round in his marathon battle over his ouster in 1963 as the State Department's top specialist on security risks, and announced he will carry the fight into Federal courts.

The Civil Service Commission's Board of Appeals and Review on Sept. 25 rejected Otepka's appeal for a reversal of a 1967 decision by Secretary of State Dean

Rusk. Rusk ordered Otepka reprimanded and demoted for supplying three classified documents to the Senate Internal Security Subcommittee without State Department authorization.

Otepka in the past has sought Republican political support for his claim. He was quoted yesterday as saying he will "take the gross miscarriage of justice into the Federal Courts."

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Date **October 5, 1968**
Page **A-13**

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THE EVENING STAR
Washington, D. C., Saturday, October 5, 1968

PEOPLE IN THE NEWS

**Otepka Loses in CSC,
Plans Court Action**

By the Associated Press

Otto F. Otepka says he has lost his last Civil Service appeal to regain the State Department job from which he was demoted for allegedly giving unauthorized information to a Senate investigator.

Otepka said yesterday he plans now to take his case to court.

The former State Department security evaluator was accused in September 1963 of violating a 1948 presidential directive and department rules in delivering information to a counsel for the Senate internal security subcommittee which was investigating the department.

Otepka was at first ordered dismissed but the punishment later was reduced to demotion, reprimand and assignment to non-security work.

He said the Civil Service Board of Appeals and Review informed him Sept. 26 that it is upholding the State Department's action.



Otto F. Otepka

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Date **October 5, 1968**
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Otepka Gets Extension Of Leave

Associated Press

Otto F. Otepka, former chief security evaluator of the State Department, asked for and was granted another 60-day extension of his present status of being on leave without pay, officials reported yesterday.

Otepka was given permission until Feb. 12 to stay away from the job he was assigned to when he was reprimanded and demoted for having passed certain documents to a Senate subcommittee without authorization.

During this period Otepka can decide whether he wants to go to the courts with his appeal against Secretary of State Dean Rusk's ruling of December 1967, or to see whether the incoming Administration will reinstate him at the State Department.

Rusk's ruling was upheld by the Civil Service Commission and Otepka has exhausted all appeal possibilities except those through a court of justice.

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Page A-4

Date December 14, 1968

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Otepka Plea Is Refused By Rogers

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of leave without pay and said, should Otepka "elect to report to work," the State Department would be "prepared to grant you administrative leave with pay."

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December, 1967, verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had "carefully reviewed" the case and found it was "fully litigated" within the Government.

Otepka lost his pay when the Civil Service Commission, the last instance for an appeal within the Government, approved Rusk's ruling and rejected the security officer's appeal.

Otepka, since then on leave without pay, could go to court with his case.

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Rogers Rules Otepka Won't Get Job Back

By the Associated Press

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of his status of being on leave without pay and said, should Otepka "elect to report to work," the State Department would be "prepared to grant you administrative leave with pay."

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December 1967 verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had "carefully reviewed" the case and found it was "fully litigated" within the government.

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Nixon Aides Weigh Job for Otepka

Nixon administration officials are discussing a possible role in the government for Otto F. Otepka, ousted security officer at the State Department.

White House Press Secretary Ron L. Ziegler told newsmen today that "Otepka's situation has been discussed here in the White House."

He made the comment in answer to reporters' questions about a report that Otepka would be appointed to the Subversive Activities Control Board. Ziegler did not directly answer questions about whether the President himself had been in on the discussions.

Otepka's dismissal has become a cause among conservative organizations and conservative members of Congress.

He was moved out of his key security post at the State Department on charges that he provided secret State Department information to the Senate Internal Security subcommittee.

Former Secretary of State Dean Rusk reprimanded Otepka and transferred him to another job in the department, a decision subsequently upheld by the Civil Service Commission but roundly criticized by conservatives.

Secretary of State William P. Rogers has refused to reopen the case.

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The Sunday Star (Washington) _____
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Page A-2

Date **March 7, 1969**

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Square Peg, Square Hole

The intimation that Otto F. Otepka, the State Department's ousted chief security evaluator, will be appointed to membership on the Subversive Activities Control Board suggests an effulgently felicitous solution to an irksome personnel problem. Not every agency would want Mr. Otepka. At the SACB, however, he should find the company congenial and the atmosphere familiar. Having had nothing to do for several years past, he should have

no trouble adjusting to the total idleness prevailing at the SACB. And no one need worry that he may disclose the agency's inside activities since it has no activities inside or outside. The inevitable tedium of the position can no doubt be relieved by sending to the bank at fortnightly intervals the checks tendered by a grateful government. They should amount by the end of a year to a nice, round \$36,000—sufficient, one hopes, to temper austerity.

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The Washington Daily News _____
The Evening Star (Washington) _____
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New York Post _____
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The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Examiner (Washington) _____

Date 3-8-69

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Otepka Plea Is Refused By Rogers

Associated Press

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of leave without pay and said, should Otepka "elect to report to work," the State Department would be "prepared to grant you administrative leave with pay."

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December, 1967, verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had "carefully reviewed" the case and found it was "fully litigated" within the Government.

Otepka lost his pay when the Civil Service Commission, the last instance for an appeal within the Government, approved Rusk's ruling and rejected the security officer's appeal.

Otepka, since then on leave without pay, could go to court with his case.

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Gandy ☒

The Washington Post Times Herald A-5
The Washington Daily News ☒
The Evening Star (Washington) ☒
The Sunday Star (Washington) ☒
Daily News (New York) ☒
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The National Observer ☒
People's World ☒
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Subversives Post Goes To Otepka

Otto F. Otepka, who was demoted from his job as the State Department's top security evaluator by former Secretary of State Dean Rusk, was nominated by President Nixon today for appointment to the Subversive Activities Control Board.

Appointment to the \$36,000-a-year job is a form of vindication for the 53-year-old Otepka, who has been fighting since 1963 to regain his State Department post.

In recent years, however, the Subversive Activities Control Board has been almost moribund, although several cases have been referred to it recently by the Nixon administration.

Otepka originally was ordered fired from his post as chief of the division of evaluations in the State Department's Office of Security in 1963 for allegedly passing information on State employees to a Senate committee without proper authority, but the dismissal order was later

See OTEPKA, Page A-10

OTEPKA

Ex-Security Evaluator Appointed to SACB

Continued From Page A-1
changed to a demotion and reprimand.

In 1962, he had been demoted from the post of deputy director of the Office of Security Review which he had held since 1957.

The President's nomination of Otepka requires Senate approval and there could be a controversy over the case when it reaches the Senate. Otepka was a prime target of the liberals of the Kennedy administration and his case has since become a cause celebre among conservatives.

Some State Department employees who had been involved in the controversy over Otepka had expressed fears that the new Republican administration would restore him to his security job.

During the campaign, President Nixon said in an interview with the Chicago Tribune that he would conduct a full and exhaustive review of the Otepka case "with a view to seeing that justice is accorded this man who served his country so long and so well."

After White House Press Secretary Ronald L. Ziegler had announced the nomination, he was asked whether it was intended as a vindication of Otepka.

"The appointment speaks for itself," Ziegler replied. "The President thought that because of Mr. Otepka's experience in the security field he qualified for membership on the board."



OTTO F. OTEPKA

Otepka will replace the late Edward C. Sweeney on the five-member board.

The board held 14 months of hearings in the early 1950s and concluded that the U.S. Communist party was a Communist-action group under foreign domination.

But, until it held a hearing last year, it had not met in two years.

The hearings were held after Congress passed a resolution that would have ended the board's life at the end of 1968 if it failed to hold any hearings during the year.

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The Sunday Star (Washington) _____
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Sunday News (New York) _____
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The National Observer _____
People's World _____
Examiner (Washington)
Page A-1 & A-10

Date March 19, 1969

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\$36,000 Job After 5-Year Fight

Otepka Named to SACB Post

By William Chapman
Washington Post Staff Writer

President Nixon appointed Otto F. Otepka yesterday to a \$36,000-a-year job on the Subversive Activities Control Board, thereby combining a man and an institution that share a remarkable talent for surviving obscurity and bureaucratic burial.

Otepka survived five years of effort by former Secretary of State Dean Rusk to dismiss him, while the Board has come back from the brink of oblivion to investigate a small but growing caseload of minor Communist Party functionaries.

Both owe their success to the same man—Sen. Everett M. Dirksen (R-Ill.). The Republican minority leader first suggested that President Nixon appoint Otepka to the Board, which Dirksen had rescued with salvaging amendments last year.

The appointment was also fulfillment of a campaign promise by Mr. Nixon, who last year pledged a "full and exhaustive review" of the Otepka case "with a view to seeing that justice is accorded this man who served his country so long and well."

Asked yesterday if the ap-

pointment represents vindication for Otepka, White House Press Secretary Ronald L. Ziegler said, "The President felt that because of Mr. Otepka's experience in the field of security, he would be qualified to serve on the Board."

Otepka was chief of security evaluations in the State Department in 1963 when Rusk ordered him suspended for disclosing to the Senate Internal Security Committee some classified loyalty reports.

See OTEPKA, A7, Col. 1



OTTO F. OTEPKA
... talent for survival

The Washington Post _____
Times Herald _____ **X**
The Washington Daily News _____
The Evening Star (Washington) _____
The Sunday Star (Washington) _____
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Date March 20, 1969
Page A-1 & A-7

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Otepka Gets \$36,000 Job on Subversive Activity Board

Otepka, from AI
He was demoted to a minor \$14,000-a-year job and remained on the payroll while his appeals to the State Department and Civil Service Commission dragged on. The case became even more muddy when it was disclosed that the State Department had tapped Otepka's telephone.

Otepka, nearly this year asked to be reinstated in his old job by Secretary of State William P. Rogers but was turned down, and the search was begun to find him another position.

According to an account in The Chicago Tribune, Dirksen suggested to President Nixon that Otepka be appointed to the SACB vacancy created by the death of Edward Sweeney.

'Fairly Accurate'

Dirksen could not be reached for comment the past two days, but an aide

said the Tribune's version was "fairly accurate."

Part of that version was a promise by Dirksen that the Board would become an effective anti-subversives agency and that the appointment would be publicly described—by Dirksen—as a complete vindication for Otepka.

If confirmed by the Senate, Otepka will step into what has become one of Washington's most comfortable sinecures, a sort of friends-of-the-powerful club with lofty salaries and comparatively undemanding duties.

The most recent appointee is Simon F. McHugh Jr., who was a minor executive in the Small Business Administration. He also is the husband of a one-time personal secretary to former President Johnson, who named him to the Board in 1967.

The chairman is John W. Mahan, who was a Montana lawyer in January, 1968,

when he was asked by a White House aide to take a vacancy on the Board, of which he had never heard. A former national commander of the Veterans of Foreign Wars, Mahan was head of a Veterans for Johnson committee during the 1964 campaign and leader of a similar group for John F. Kennedy in 1960.

The other two members are Leonard Sells, a veteran Government employee who was attorney for the Negotiation Board, and John S. Patterson, former Civil Defense acting director and vice chairman of the Maritime Commission.

Salary Increased

There are virtually no prerequisites for the Executive Schedule V jobs. The law establishing the Board says only that no more than three members can be from the same political party. The salaries rose from \$28,000 to \$36,000 a year under the recent pay raise legislation.

The Board's budget has climbed steadily, even in years when its duties were declining. In 1968, it was authorized to spend \$295,000, but spent \$247,000. However, its budget for the following fiscal year was pegged at \$344,000 and the current one proposed is the \$365,000.

Until last September, the Board had been involved in only one case of alleged subversion for almost two years.

Since September, it has dispensed with three cases naming minor Communist Party functionaries as members of a "Communist-action" group, a process that involved only six days of hearings, one day of oral argument, and reading of extensive FBI reports.

The Board began hearings on three more cases Tuesday. At the end of one hour of testimony, and one hour of recess for the reading of documents, it took one of the cases under advisement and agreed to a 90-day post-

ponement of the other two cases because the Justice Department's key witness is ill.

The Tuesday hearing, held in a comfortable, paneled room of the Lafayette Building, was a genial, clubby affair involving Justice Department and defense lawyers who have become friendly throughout years of hearings and appeals.

The case was against Scarlett Patrick, a young New Jersey woman alleged to be a member of the Communist Party's national committee.

A Justice Department lawyer stated for the record that Miss Patrick had not been under electronic surveillance by the FBI. Joseph Forer, the veteran defense lawyer, said the statement was "gobbledygook" and not sufficiently specific.

Testimony Cited.

"Mr. Forer," said Department lawyer Oran H. Waterman with a smile, "is up to his old tricks."

The case against Miss Patrick consisted of testimony by Ronald S. Eldredge, a piano teacher from Spanish Fort, Utah, and a paid FBI informant who had risen in the Utah Communist Party to become secretary-treasurer. Eldredge testified that at a national party convention on July 5, 1968, he heard Miss Patrick speak on "black liberation" at the Hotel Diplomat in New York City.

Eldredge recalled that she began her speech by declaring that she was "under duress" by the Board and that if anyone in the room had a line open to the Justice Department he could let the Department know where to find her.

The cross-examination by Forer consisted of reading into the record the amounts paid to Eldredge by the FBI—\$140 to \$150 a month—and then the sudden question: "Did you ever give back that money you embezzled from the Communist Party treasury?"

After shouts of "objection" from the Justice lawyers, the witness said he had not embezzled any funds but that he had recently returned some money and books that were the property of Utah party leaders. A few minutes later the hearing was adjourned.

Until last September, it appeared unlikely that the Board would be holding any more hearings such as the Patrick case. The major section of its statute had been held unconstitutional and it was believed that the Board would quietly fold up.

Originally, the Board's main function was to determine whether a person was a member of a Communist group and then require him to register publicly or face imprisonment. In October, 1965, the Supreme Court held that section to be a violation of the Fifth Amendment.

For months thereafter, the Board was involved with

only one organizational case—that of the W. E. B. DuBois Clubs, which is still on appeal.

Duties Amended

The new legislation that Dirksen pushed through in late 1968 permits the Board to determine membership in a Communist action group and to make that finding public. No registration could be demanded.

The Dirksen amendments also specified that the Board had to hold at least one hearing in 1968 or go out of business. It could not hold a hearing unless the Justice Department referred to it a case, and for a while Attorney General Ramsey Clark refused to do so. Finally, Clark sent the Board seven cases and the Board started its hearings in September.

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Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

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The Washington Daily News ☒
The Evening Star (Washington) ☒
The Sunday Star (Washington) ☒
Daily News (New York) ☒
Sunday News (New York) ☒
New York Post ☒
The New York Times ☒
The Sun (Baltimore) ☒
The Daily World ☒
The New Leader ☒
The Wall Street Journal ☒
The National Observer ☒
People's World ☒
Examiner (Washington) ☒

Date **MAR 20 1969****51 MAR 28 1969****NOT RECORDED****176 MAR 24 1969**

65-68266

ALL INFORMATION CONTAINED
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DATE 05-03-2011 BY 60324UCBAW/SB/CMM

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DeLoach ☒
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Gandy ☒

UPI-70

(OTEPKA)

WASHINGTON--OTTO F. STEPKA, A CONTROVERSIAL STATE DEPARTMENT OFFICIAL SUSPENDED FROM A SECURITY JOB BY FORMER SECRETARY OF STATE DEAN RUSK, WAS NAMED TODAY BY PRESIDENT NIXON TO A \$36,000 VACANCY ON THE SUBVERSIVE ACTIVITIES CONTROL BOARD (SACB).

OTEPKA, WHO FORMERLY WAS CHIEF OF THE DIVISION OF EVALUATIONS AT THE STATE DEPARTMENT, WAS PENALIZED BY RUSK FOR PROVIDING CERTAIN INFORMATION TO A SENATE COMMITTEE WITHOUT DEPARTMENT AUTHORIZATION. THE PRESIDENT'S SELECTION OF OTEPKA FOR MEMBERSHIP ON THE SACB IS SUBJECT TO SENATE CONFIRMATION.

OTEPKA WAS NAMED TO A VACANCY CREATED BY THE DEATH OF A BOARD MEMBER, EDWARD C. SWEENEY. THE APPOINTMENT IS FOR THE REMAINDER OF SWEENEY'S TERM, ENDING AUGUST 9, 1970.

RUSK ORDERED OTEPKA FIRED IN 1963 BUT OTEPKA STAYED ON THE PAYROLL WHILE APPEALS DRAGGED ON THROUGH THE YEARS.

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176 MAR 26 1969

FOR MR. TOLSON

51 APR 1 1969

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WASHINGTON CAPITAL NEWS SERVICE

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OTTO F. OTEPKA
Talent for survival

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ALL FBI INFORMATION CONTAINED
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UPI-81

ADD 1 OTEPKA, WASHINGTON (UPI-70).
RUSK ACTED ON CHARGES THAT OTEPKA VIOLATED A PRESIDENTIAL ORDER
BY GIVING CONFIDENTIAL DOCUMENTS TO THE SENATE INTERNAL
SECURITY SUBCOMMITTEE.

OTEPKA APPEALED THE CASE FIRST TO A STATE DEPARTMENT HEARING
EXAMINER AND SUBSEQUENTLY TO THE CIVIL SERVICE COMMISSION.
THE CIVIL SERVICE COMMISSION UPHELD RUSK'S ACTION IN PART BY
REPRIMANDING OTEPKA BUT HELD THAT HE SHOULD BE DEMOTED TO A
NONSECURITY JOB RATHER THAN FIRED.

THAT WAS IN DECEMBER 1967.

OTEPKA SOUGHT RESTORATION TO HIS PREVIOUS \$19,000 A YEAR
JOB WHEN THE NIXON ADMINISTRATION TOOK OFFICE BUT SECRETARY OF
STATE WILLIAM P. ROGERS RULED THAT HIS LEGAL APPEALS HAD BEEN
EXHAUSTED.

ASKED WHETHER THE PRESIDENT'S DECISION TO NOMINATE OTEPKA
TO THE SACB AMOUNTED TO "VINDICATION" OF THE SECURITY SPECIALIST,
RONALD ZIEGLER, WHITE HOUSE PRESS SECRETARY SAID, "THE PRESIDENT
FELT THAT BECAUSE OF MR. OTEPKA'S EXPERIENCE IN THE FIELD OF
SECURITY, HE WOULD BE QUALIFIED TO SERVE ON THE BOARD."

THE BOARD ITSELF HAS BEEN UNDER CRITICAL CONGRESSIONAL FIRE IN
RECENT YEARS FOR BEING LARGELY INACTIVE, BUT THE JUSTICE DEPARTMENT
RECENTLY DEFERRED SEVERAL CASE TO IT.

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(2)

FOR MR. TOLSON
WASHINGTON CAPITAL NEWS SERVICE

Otepka Called Guilty In AID Officer Report

By ENDRE MARTON

Associated Press Staff Writer

Otto F. Otepka was guilty as charged of "conduct unbecoming of an officer of the Department of State," the hearing officer of Otepka's appeal against dismissal has reported to Secretary of State Dean Rusk.

But the hearing officer, Edward A. Dragon, a lawyer with the Agency for International Development, suggested that Rusk—when making his final decision—consider Otepka's defense that there was no established standard of conduct for federal employees.

The question, Dragon said in his 28-page report, is "whether dismissal from the Department of State is the appropriate action to be taken in this case."

Dragon submitted his report to Rusk Dec. 5. Copies of the report were sent to Roger Robb, Otepka's attorney, and to Irving Jaffe of the Justice Department, who represented the government in the case. Rusk is expected to announce his decision Dec. 17.

Still On Payroll

Otepka, then chief security evaluator of the State Department, was dismissed from the service in November 1963, charged with conduct unbecoming of an officer for having given classified documents to J. G. Sourwine, chief counsel of the Senate Internal Security subcommittee. Dragon's report upholds this accusation.

While carrying his appeal through department channels, Otepka has remained on the payroll at about \$20,500 a year. Should Rusk uphold his dismissal, Otepka can carry his case to the Civil Service Commission or to the courts, or both.

Copy in Mailbox

What appears to be a facsimile copy of Dragon's report turned up Dec. 5 at the Washington office of "The Government Employees' Exchange," a bi-weekly paper for federal employees which regularly reported on the Otepka case and took a stand for his reinstatement.

The Exchange made the copy available yesterday to the Associated Press. Publisher Sidney Goldberg said he found the copy in an unmarked envelope in his mailbox.

He said he compared several pages with the authentic copy in Robb's possession by reading excerpts to the attorney on the telephone, and both were satisfied that the Exchange's copy was identical with the original.

Robb verified this in a telephone conversation. (Neither Dragon nor State Department officials were available for comment yesterday. On Friday, told about a leak, State Department press officer Robert J. McCloskey said it was "most inappropriate to circulate this report. . . . We have not done so.")

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Date December 10, 1967
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By ENDRE MARTON

Associated Press Staff Writer

Otto F. Otepka was guilty as charged of "conduct unbecoming of an officer of the Department of State," the hearing officer of Otepka's appeal against dismissal has reported to Secretary of State Dean Rusk.

But the hearing officer, Edward A. Dragon, a lawyer with the Agency for International Development, suggested that Rusk—when making his final decision—consider Otepka's defense that there was no established standard of conduct for federal employees.

The question, Dragon said in his 28-page report, is "whether dismissal from the Department of State is the appropriate action to be taken in this case."

Dragon submitted his report to Rusk Dec. 5. Copies of the report were sent to Roger Robb, Otepka's attorney, and to Irving Jaffe of the Justice Department, who represented the government in the case. Rusk is expected to announce his decision Dec. 17.

Still On Payroll

Otepka, then chief security evaluator of the State Department, was dismissed from the service in November 1963, charged with conduct unbecoming of an officer for having given classified documents to J. G. Sourwine, chief counsel of the Senate Internal Security subcommittee. Dragon's report upholds this accusation.

While carrying his appeal through department channels, Otepka has remained on the payroll at about \$20,500 a year. Should Rusk uphold his dismissal, Otepka can carry his case to the Civil Service Commission or to the courts, or both.

Copy in Mailbox

What appears to be a facsimile copy of Dragon's report turned up Dec. 5 at the Washington office of "The Government Employees' Exchange," a bi-weekly paper for federal employees which regularly reported on the Otepka case and took a stand for his reinstatement.

The Exchange made the copy available yesterday to the Associated Press. Publisher Sidney Goldberg said he found the copy in an unmarked envelope in his mailbox.

He said he compared several pages with the authentic copy in Robb's possession by reading excerpts to the attorney on the telephone, and both were satisfied that the Exchange's copy was identical with the original.

Robb verified this in a telephone conversation. (Neither Dragon nor State Department officials were available for comment yesterday. On Friday, told about a leak, State Department press officer Robert J. McCloskey said it was "most inappropriate" to circulate this report. "We have not done so.")

The Washington Post

Times Herald _____

The Washington Daily News _____

The Evening Star (Washington) _____

The Sunday Star (Washington) ☒

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

The New York Times _____

The Sun (Baltimore) _____

The Worker _____

The New Leader _____

The Wall Street Journal _____

The National Observer _____

People's World _____

Date December 10, 1967

Page A-2

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(OTEPKA)

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57 DEC 14 1967

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UPI-81

ADD 1 OTEPKA, WASHINGTON (UPI-705)
 RUSK ACTED ON CHARGES THAT OTEPKA VIOLATED A PRESIDENTIAL ORDER
 BY GIVING CONFIDENTIAL DOCUMENTS TO THE SENATE INTERNAL
 SECURITY SUBCOMMITTEE.

OTEPKA APPEALED THE CASE FIRST TO A STATE DEPARTMENT HEARING
 EXAMINER AND SUBSEQUENTLY TO THE CIVIL SERVICE COMMISSION.
 THE CIVIL SERVICE COMMISSION UPHELD RUSK'S ACTION IN PART BY
 REPRIMANDING OTEPKA BUT HELD THAT HE SHOULD BE DEMOTED TO A
 NONSECURITY JOB RATHER THAN FIRED.

THAT WAS IN DECEMBER 1967.

OTEPKA SOUGHT RESTORATION TO HIS PREVIOUS \$19,000 A YEAR
 JOB WHEN THE NIXON ADMINISTRATION TOOK OFFICE BUT SECRETARY OF
 STATE WILLIAM P. ROGERS RULED THAT HIS LEGAL APPEALS HAD BEEN
 EXHAUSTED.

ASKED WHETHER THE PRESIDENT'S DECISION TO NOMINATE OTEPKA
 TO THE SACB AMOUNTED TO "VINDICATION" OF THE SECURITY SPECIALIST,
 RONALD ZIEGLER, WHITE HOUSE PRESS SECRETARY SAID, "THE PRESIDENT"
 FELT THAT BECAUSE OF MR. OTEPKA'S EXPERIENCE IN THE FIELD OF
 SECURITY, HE WOULD BE QUALIFIED TO SERVE ON THE BOARD."
 THE BOARD ITSELF HAS BEEN UNDER CRITICAL CONGRESSIONAL FIRE IN
 RECENT YEARS FOR BEING LARGELY INACTIVE, BUT THE JUSTICE DEPARTMENT
 RECENTLY REFERRED SEVERAL CASE TO IT.

3/19--SW1250PES

(2)

FOR MR. TOLSON
 WASHINGTON CAPITAL NEWS SERVICE

The Board's budget has climbed steadily, even in years when its duties were declining. In 1968, it was authorized to spend \$295,000, but spent \$247,000. However, its budget for the following fiscal year was pegged at \$344,000, and the current one proposed is the \$365,000.

Until last September, the Board had been involved in only one case of alleged subversion for almost two years.

Since September, it has dispensed with three cases naming minor Communist Party functionaries as members of a "Communist action" group, a process that involved only six days of hearings, one day of oral argument, and reading of extensive FBI reports.

The Board began hearings on three more cases Tuesday. At the end of one hour of testimony, and one hour of recess for the reading of documents, it took one of the cases under advisement and agreed to a 90-day postponement of the other two.

Because the Justice Department's key witness is ill.

The Tuesday hearing, held in a comfortable, paneled room of the Lafayette Building, was a genial, clubby affair involving Justice Department and defense lawyers who have become friendly throughout years of hearings and appeals.

The case was against Scarlett Patrick, a young New Jersey woman alleged to be a member of the Communist Party's national committee.

A Justice Department lawyer stated for the record that Miss Patrick had not been under electronic surveillance by the FBI. Joseph Forer, the veteran defense lawyer, said the statement was "gobbledygook" and not sufficiently specific.

Testimony Cited:

"Mr. Forer" said Department lawyer Oran H. Waterman with a smile, "is up to his old tricks."

The case against Miss Patrick consisted of testimony by Ronald S. Eldredge, a piano teacher from Spanish Fort, Utah, and a paid FBI informant who had risen in the Utah Communist Party to become secretary-treasurer.

Eldredge testified that at a national party convention on July 5, 1968, he heard Miss Patrick speak on "black liberation" at the Hotel ~~_____~~ in New York City.

Eldredge recalled that she began her speech by declaring that she was "under petition" by the Board and that if anyone in the room had a line open to the Justice Department, he could let the Department know where to find her.

The cross-examination by Forer consisted of reading into the record the amounts paid to Eldredge by the FBI — \$140 to \$150 a month — and then the sudden question: "Did you ever give back that money, you embezzled from the Communist Party treasury?"

After shouts of "objection" from the Justice lawyers, the witness said he had not embezzled any funds but that he had recently returned some money and books that were the property of Utah party leaders. A few minutes later the hearing was adjourned.

Until last September, it appeared unlikely that the Board would be holding any more hearings such as the Patrick case. The major section of its statute had been held unconstitutional and it was believed that the Board would quietly fold up.

Originally, the Board's main function was to determine whether a person was a member of a Communist group and then require him to register publicly or face imprisonment. In October, 1965, the Supreme Court held that section to be a violation of the Fifth Amendment.

For months thereafter, the Board was involved with only one organizational case — that of the W. E. B. DuBois Clubs, which is still on appeal.

Duties Amended

The new legislation that Dirksen pushed through in late 1967 permits the Board to determine membership in a Communist action group and to make that finding public. No registration could be demanded.

The Dirksen amendments also specified that the Board had to hold at least one hearing in 1968 or go out of business. It could not hold a hearing unless the Justice Department referred to it a case, and for a while Attorney General Ramsey Clark refused to do so. Finally, Clark sent the Board ~~_____~~

cases and the Board started its hearings in September.

The new Attorney General, John N. Mitchell, has sent five more cases and it appears the Board will be relatively busy for some time.



OTTO F. OLEPKA
talent for survival

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Tolson _____
 DeLoach ☒
 Mohr ☒
 Bishop ☒
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 Gandy _____

UPI-70

(CTEPKA)

WASHINGTON--OTTO F. CTEPKA, A CONTROVERSIAL STATE DEPARTMENT
 OFFICIAL SUSPENDED FROM A SECURITY JOB BY FORMER SECRETARY OF STATE
 DEAN RUSK, WAS NAMED TODAY BY PRESIDENT NIXON TO A \$36,000 VACANCY
 ON THE SUBVERSIVE ACTIVITIES CONTROL BOARD (SACB).
 OTEPKA, WHO FORMERLY WAS CHIEF OF THE DIVISION OF EVALUATIONS AT
 THE STATE DEPARTMENT, WAS PENALIZED BY RUSK FOR PROVIDING CERTAIN
 INFORMATION TO A SENATE COMMITTEE WITHOUT DEPARTMENT AUTHORIZATION.
 THE PRESIDENT'S SELECTION OF CTEPKA FOR MEMBERSHIP ON THE SACB
 IS SUBJECT TO SENATE CONFIRMATION.
 OTEPKA WAS NAMED TO A VACANCY CREATED BY THE DEATH OF A BOARD
 MEMBER, EDWARD C. SWEENEY. THE APPOINTMENT IS FOR THE REMAINDER OF
 SWEENEY'S TERM, ENDING AUGUST 9, 1970.
 RUSK ORDERED OTEPKA FIRED IN 1963 BUT OTEPKA STAYED ON THE PAYROLL
 WHILE APPEALS DRAGGED ON THROUGH THE YEARS.
 3/19--GE1204P

NOT RECORDED

176 MAR 26 1969

FOR MR. TOLSON

WASHINGTON CAPITAL NEWS SERVICE

51 APR 1 1969

76 MAR 28 1969

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65-68266

\$36,000 Job After 5-Year Fight**Otepka Named to SACB Post**By William Chapman
Washington Post Staff Writer

President Nixon appointed Otto F. Otepka yesterday to a \$36,000-a-year job on the Subversive Activities Control Board, thereby combining a man and an institution that share a remarkable talent for surviving obscurity and bureaucratic buffal.

Otepka survived five years of effort by former Secretary of State Dean Rusk to dismiss him, while the Board has come back from the brink of oblivion to investigate a small but growing caseload of minor Communist Party functionaries.

Both owe their success to the same man—Sen. Everett M. Dirksen (R-Ill.). The Republican minority leader first suggested that President Nixon appoint Otepka to the Board, which Dirksen had rescued with salvaging amendments last year.

The appointment was also fulfillment of a campaign promise by Mr. Nixon, who last year pledged a "full and exhaustive review" of the Otepka case "with a view to seeing that justice is accorded this man who served his country so long and well."

Asked yesterday if the ap-

pointment represents vindication for Otepka, White House Press Secretary Ronald L. Ziegler said, "The President felt that because of Mr. Otepka's experience in the field of security, he would be qualified to serve on the Board."

Otepka was chief of security evaluations in the State Department in 1963 when Rusk ordered him suspended for disclosing to the Senate Internal Security Committee some classified loyalty records.

He was demoted to a minor \$12,000-a-year job and remained on the payroll while his appeals to the State Department and Civil Service Commission dragged on. The case became even more muddled when it was disclosed that the State Department had tapped Otepka's telephone.

Otepka early this year asked to be reinstated in his old job by Secretary of State William P. Rogers but was turned down, and the search was begun to find him another position.

According to an account in The Chicago Tribune, Dirksen suggested to President Nixon that Otepka be appointed to the SACB vacancy created by the death of Edward Sweeney.

"Fairly Accurate"

Dirksen could not be reached for comment the past two days, but an aide

said the Tribune's version was "fairly accurate."

Part of that version was a promise by Dirksen that the Board would become an effective anti-subversives agency and that the appointment would be publicly described by Dirksen as a complete vindication for Otepka.

If confirmed by the Senate, Otepka will step into what has become one of Washington's most comfortable sinecures, a sort of friends-of-the-powerful club with lofty salaries and comparatively undemanding duties.

The most recent appointee is Simon F. McHugh Jr., who was a minor executive in the Small Business Administration. He also is the husband of a one-time personal secretary to former President Johnson, who named him to the Board in 1967.

The chairman is John W. Mahan, who was a Montana lawyer in January 1968.

when he was asked by a White House aide to take a vacancy on the Board, of which he had never heard. A former national commander of the Veterans of Foreign Wars, Mahan was head of a Veterans for Johnson committee during the 1964 campaign and leader of a similar group for John F. Kennedy in 1960.

The other two members are Leonard Sells, a veteran Government employee who was attorney for the Renegotiation Board, and John S. Patterson, former Civil Defense acting director and vice chairman of the Maritime Commission.

Salary Increased

There are virtually no prerequisites for the Executive Schedule V jobs. The law establishing the Board says only that no more than three members can be from the same political party. The salaries rose from \$28,000 to \$36,000 a year under the recent pay raise legislation.

Tolson ☒
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Casper ☒
Callahan ☒
Conrad ☒
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Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

The Washington Post Times Herald ☒ A-1
The Washington Daily News ☒
The Evening Star (Washington) ☒
The Sunday Star (Washington) ☒
Daily News (New York) ☒
Sunday News (New York) ☒
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The Daily World ☒
The New Leader ☒
The Wall Street Journal ☒
The National Observer ☒
People's World ☒
Examiner (Washington) ☒

NOT RECORDED

176 MAR 24 1969

Date MAR 20 1969

51 MAR 28 1969

Otepka Gets \$36,000 Job on Subversive Activity Board

Otepka, From A1

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The new Attorney General, John N. Mitchell, has sent five more cases and it appears the Board will be relatively busy for some time.

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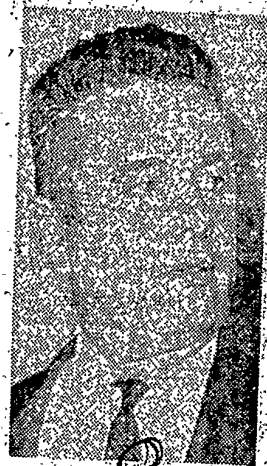
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See OTEPKA, A7, Col. 1.



OTTO F. OTEPKA
talent for survival

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The Washington Post

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The Evening Star (Washington) _____

The Sunday Star (Washington) _____

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

The New York Times _____

The Sun (Baltimore) _____

The Worker _____

The New Leader _____

The Wall Street Journal _____

The National Observer _____

People's World _____

Date March 20, 1969

Page A-1 & A-7

NOT RECORDED

46 MAR 24 1969

MAR 25 1969

file
9-MC
65-68264

Subversives Post Goes To Otepka

Otto F. Otepka, who was demoted from his job as the State Department's top security evaluator by former Secretary of State Dean Rusk, was nominated by President Nixon today for appointment to the Subversive Activities Control Board.

Appointment to the \$36,000-a-year job is a form of vindication for the 53-year-old Otepka, who has been fighting since 1963 to regain his State Department post.

In recent years, however, the Subversive Activities Control Board has been almost moribund, although several cases have been referred to it recently by the Nixon administration.

Otepka, originally was ordered fired from his post as chief of the division of evaluations in the State Department's Office of Security in 1963 for allegedly passing information on State employees to a Senate committee without proper authority, but the dismissal order was later

See OTEPKA, Page A-10

OTEPKA

Ex-Security Evaluator Appointed to SACB

Continued From Page A-1

changed to a demotion and reprimand.

In 1962, he had been demoted from the post of deputy director of the Office of Security Review which he had held since 1957.

The President's nomination of Otepka requires Senate approval and there could be a controversy over the case when it reaches the Senate. Otepka was a prime target of the liberals of the Kennedy administration and his case has since become a cause celebre among conservatives.

Some State Department employees who had been involved in the controversy over Otepka had expressed fears that the new Republican administration would restore him to his security job.

During the campaign, President Nixon said in an interview with the Chicago Tribune that he would conduct a full and exhaustive review of the Otepka case "with a view to seeing that justice is accorded this man who served his country so long and so well."

After White House Press Secretary Ronald L. Ziegler had announced the nomination, he was asked whether it was intended as a vindication of Otepka.

"The appointment speaks for itself," Ziegler replied. "The President thought that because of Mr. Otepka's experience in the security field he qualified for membership on the board."



OTTO F. OTEPKA

Otepka will replace the late Edward C. Sweeney on the five-member board.

The board held 14 months of hearings in the early 1950s and concluded that the U.S. Communist party was a Communist action group under foreign domination.

But, until it held a hearing last year, it had not met in two years.

The hearings were held after Congress passed a resolution that would have ended the board's life at the end of 1968 if it failed to hold any hearings during the year.

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The Washington Post _____
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The Evening Star (Washington) **X** _____
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The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Examiner (Washington) _____
Page A-1 & A-10

Date March 19, 1969

65-68266-A

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46 MAR 24 1969

59 MAR

65-68266

file
9-AE

Otepka Plea Is Refused By Rogers

Associated Press

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of leave without pay and said, should Otepka elect to report to work, the State Department would be prepared to grant you administrative leave with pay.

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December, 1967, verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had carefully reviewed the case and found it was "fully litigated" within the Government.

Otepka lost his pay when the Civil Service Commission, the last instance for an appeal within the Government, approved Rusk's ruling and rejected the security officer's appeal.

Otepka, since then on leave without pay, could go to court with his case.

Tolson ☒
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Gandy ☐

The Washington Post Times Herald A-5
The Washington Daily News ☐
The Evening Star (Washington) ☐
The Sunday Star (Washington) ☐
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New York Post ☐
The New York Times ☐
The Sun (Baltimore) ☐
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The National Observer ☐
People's World ☐
Examiner (Washington) ☐

FEB 23 1969

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MAR 14 1969

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Square Peg, Square Hole

The intimation that Otto F. Otepka, the State Department's ousted chief security evaluator, will be appointed to membership on the Subversive Activities Control Board suggests an effulgently felicitous solution to an irksome personnel problem. Not every agency would want Mr. Otepka. At the SACB, however, he should find the company congenial and the atmosphere familiar. Having had nothing to do for several years past, he should have no trouble adjusting to the total idleness prevailing at the SACB. And no one need worry that he may disclose the agency's inside activities since it has no activities inside or outside. The inevitable tedium of the position can no doubt be relieved by sending to the bank at fortnightly intervals the checks tendered by a grateful government. They should amount by the end of a year to a nice, round \$36,000—sufficient, one hopes, to temper austerity.

The Washington Post Times Herald pg. a. 20
 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
 Sunday News (New York) _____
 New York Post _____
 The New York Times _____
 The Sun (Baltimore) _____
 The Daily World _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Examiner (Washington) _____

Date 3-8-69

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Nixon Aides Weigh Job for Otepka

Nixon administration officials are discussing a possible role in the government for Otto F. Otepka, ousted security officer at the State Department.

White House Press Secretary Ron. L. Ziegler told newsmen today that "Otepka's situation has been discussed here in the White House."

He made the comment in answer to reporters' questions about a report that Otepka would be appointed to the Subversive Activities Control Board. Ziegler did not directly answer questions about whether the President himself had been in on the discussions.

Otepka's dismissal has become a cause among conservative organizations and conservative members of Congress.

He was moved out of his key security post at the State Department on charges that he provided secret State Department information to the Senate Internal Security subcommittee.

Former Secretary of State Dean Rusk reprimanded Otepka and transferred him to another job in the department, a decision subsequently upheld by the Civil Service Commission but roundly criticized by conservatives. Secretary of State William P. Rogers has refused to reopen the case.

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 Page A-2

Date March 7, 1969

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55 MAR 14 1969

Rogers Rules Otepka Won't Get Job Back

By the Associated Press

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of his status of being on leave without pay and said, should Otepka "elect to report to work," the State Department would be "prepared to grant you administrative leave with pay."

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December 1967 verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had "carefully reviewed" the case and found it was "fully litigated" within the government.

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Page A-3

Date February 23, 1969

54 MAR 7-1969

65-68266-A-

Otepka Plea Is Refused By Rogers

Secretary of State William P. Rogers in effect has told Otto F. Otepka he does not intend to restore the controversial former State Department security evaluator to his post.

But Rogers, in a letter Otepka acknowledged yesterday, granted Otepka's request for another two-month extension of leave without pay and said, should Otepka "elect to report to work," the State Department would be "prepared to grant you administrative leave with pay."

Otepka said he received Rogers' letter Friday and talked briefly with Roger Robb, his lawyer. He declined to comment on the letter before he and his counsel decide what to do next.

Rogers' letter reminded Otepka he had exhausted all government appeals to former Secretary of State Dean Rusk's December 1967 verdict. Rusk ordered Otepka to be demoted, transferred and reprimanded for having given, without authorization, classified material to a Senate subcommittee.

Rogers said he had "carefully reviewed" the case and found it was "fully litigated" within the Government.

Otepka lost his pay when the Civil Service Commission, the last instance for an appeal within the Government, approved Rusk's ruling and rejected the security officer's appeal.

Otepka, since then on leave without pay, could go to court with his case.

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Page A-5 _____

Date 2-23-69

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Otepka Gets Extension Of Leave

Associated Press

Otto F. Otepka, former chief security evaluator of the State Department, asked for and was granted another 60-day extension of his present status of being on leave without pay, officials reported yesterday.

Otepka was given permission until Feb. 12 to stay away from the job he was assigned to when he was reprimanded and demoted for having passed certain documents to a Senate subcommittee without authorization.

During this period Otepka can decide whether he wants to go to the courts with his appeal against Secretary of State Dean Rusk's ruling of December 1967, or to see whether the incoming Administration will reinstate him at the State Department.

Rusk's ruling was upheld by the Civil Service Commission and Otepka has exhausted all appeal possibilities except those through a court of justice.

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Page A-4

Date December 14, 1968

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THE EVENING STAR
 Washington, D. C., Saturday, October 5, 1968

PEOPLE IN THE NEWS

Otepka Loses in CSC,
 Plans Court Action

By the Associated Press

Otto F. Otepka says he has lost his last Civil Service appeal to regain the State Department job from which he was demoted for allegedly giving unauthorized information to a Senate investigator.

Otepka said yesterday he plans now to take his case to court.

The former State Department security evaluator was accused in September 1963 of violating a 1948 presidential directive and department rules in delivering information to a counsel for the Senate internal security subcommittee which was investigating the department.

Otepka was at first ordered dismissed but the punishment later was reduced to demotion, reprimand and assignment to non-security work.

He said the Civil Service Board of Appeals and Review informed him Sept. 26 that it is upholding the State Department's action.



Otto F. Otepka

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Date October 5, 1968
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THE WASHINGTON POST Saturday, Oct. 5, 1968 A13

Otepka Vows Court Appeal

Otto F. Otepka lost the last Civil Service round in his marathon battle over his ouster in 1963 as the State Department's top specialist on security risks, and announced he will carry the fight into Federal courts.

The Civil Service Commission's Board of Appeals and Review on Sept. 25 rejected Otepka's appeal for a reversal of a 1967 decision by Secretary of State Dean

Rusk. Rusk ordered Otepka reprimanded and demoted for supplying three classified documents to the Senate Internal Security Subcommittee without State Department authorization.

Otepka in the past has sought Republican political support for his claim. He was quoted yesterday as saying he will "take the gross miscarriage of justice into the Federal Courts."

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Date October 5, 1968
 Page A-13

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OTTO OTEPKA
... appeal denied

The Civil Service Commission upheld Secretary of State Dean Rusk's decision to reprimand and demote Otepka for furnishing three classified documents, without authorization, to the Senate Internal Security Subcommittee.

Otepka Ruling

Otto F. Otepka, whom the State Department ousted in 1963 as its top specialist on security risks, lost another round yesterday in his series of appeals.

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Civil Service Upholds State Dept. on Otepka

Associated Press

The Civil Service Commission has upheld the State Department's disciplinary action against Otto F. Otepka, former chief security evaluator for the department, a partner of Otepka's lawyer said yesterday.

The commission itself declined to comment on its decision in Otepka's appeal against the discipline until it was sure Otepka himself has been notified. Otepka could not be reached immediately.

Otepka was fired from his security post in November 1963, on grounds that he gave classified documents, without authorization, to a Senate subcommittee investigating State Department procedures. He appealed within the department, and last Dec. 11, Secretary of State Dean Rusk rescinded the dismissal and ordered him demoted, reassigned and reprimanded. Otepka appealed that decision to the Civil Service Commission.

H. Donald Kistler, a partner in the Washington law firm of Robb, Porter, Kistler and Parkinson, said the firm received a letter this morning with notification that the Civil Service Commission had upheld the State Department. Roger Robb, Otepka's attorney in the case, was out of town on another case, Kistler said.

The point disputed in the case was whether Otepka was within his rights in delivering—as he admitted doing—three classified documents to the Senate Internal Security Subcommittee.

The State Department contended that by so doing, he violated a presidential directive forbidding the disclosure of classified personal security files.

Otepka is now on leave without pay, at his own request, until June 15.

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Otepka Pleads Case

JAMES T. MASTERSON, chief of the Civil Service Commission's appeals examining office, heard Otto Otepka's arguments against his demotion last December by the State Department and assignment to non-sensitive duties. Mr. Otepka outlined the reasons why he felt he should be restored to his previous position as chief of the evaluations division of the State Department's Security Office.

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Otepka Gets New Hearing

Otto F. Otepka will get a hearing before a U.S. Civil Service Commission examiner tomorrow in a new appeal of his demotion from a top security job at the State Department.

The examiner will prepare recommendations for submission to the commission's Appeal Board, which in turn will report to the full commission.

Mr. Otepka was demoted to nonsecurity duties and officially reprimanded by Secretary of State Dean Rusk last Dec. 9 after an investigation that lasted four years. He was charged with giving confidential documents to the Senate Internal Security Sub-committee in violation of a presidential order. (UPI).

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STRANGE GOINGS ON

—in security procedures at State. In the files were hundreds of clearances and waivers of clearance that had been back-dated to cover the fact that the people concerned had been taken on without proper approval.

Word of this leaked to SISS, and the hunt for Otepka's scalp was on.

It took more than two years of pressure and, finally, some back-knifing testimony to SISS by his superior before Otepka finally was driven to defend himself by presenting the subcommittee with the documents in question.

No persecution delusions are involved in this matter. Six colleagues who stood by Otepka were farmed out, eased out, or shuffled into do-nothing posts. At the same time, two men who denied under oath any knowledge of the tap on Otepka's phone—and were caught in their lie—were let off painlessly by State. One is still in the department; his buddy got another government job.

A terrible and serious wrong appears to have been done to a loyal and efficient worker. We hope the CSC gets to the bottom of it.

AN APPEAL FOR JUSTICE

Otto F. Otepka, the State Department security man who was hounded, harassed and finally demoted for trying to do his job, will get another shot at vindication this week. At least he will if, as scheduled, his appeal is heard by the Civil Service Commission on Thursday.



Otto Otepka

Delay would be no novelty in this case, which has been strung out since 1963, when State's officialdom told Otepka he was to be fired.

Otepka's "crime"—on the record at least—is that he passed classified information to the Senate Internal Security subcommittee during an SISS probe of departmental security machinery.

It was not until last summer that State held a hearing on the charges. Otepka was judged a sinner and Secretary of State Dean Rusk gave him the prescribed dressing down, dropped him a notch in the civil service scale, and shunted him into a meaningless assignment.

A funny thing about that hearing. Originally, there were 13 charges brought against Otepka. All but three were dropped, presumably because testimony on the others might have embarrassed important people.

That is Otepka's contention, included in a lengthy defense brief originally prepared for the State Department trial by attorney Roger Robb and now forwarded to the commission.

The Robb document presents—

A SORRY AND SORDID CHRONICLE

—of an unrelenting "get Otepka" vendetta waged by his bureaucratic superiors. Between 1961 and 1963, he was systematically needled, insulted, downgraded, circumvented, undercut and overruled.

His safe was rifled in the dark of night; his phone was tapped; his trash bag was pawed over for evidence; he was denied access to information needed for his work.

Otepka was State's top personnel security evaluator when the campaign began. He had been doing such work since 1953 in the department and earning warm praise.

But his mistake, apparently, was in violating—

THE ELEVENTH COMMANDMENT

—which in Otepka's bureaucratic world reads: Thou Shalt Not Rock the Boat.

He did—by refusing to depart from the rules and regulations laid down for security clearance of State employees.

Otepka made his stand clear in December 1960 in a talk with Robert F. Kennedy and Rusk, soon to be attorney general and secretary of state, respectively, in the cabinet of John F. Kennedy.

They wanted special treatment for Walt Whitman Rostow, now on President Johnson's staff and then a JFK pick for a high policy post under Rusk. Otepka had given Rostow a bad review on a security check in 1955. At the 1960 meeting, he said he would stand his ground.

Rostow went to the White House menage on an FBI clearance and later was shifted to the State Department. But early in 1961, Otepka uncovered some—

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UPI-113 (OTEPKA)

WASHINGTON--OTTO F. OTEPKA, WILL GET A HEARING THURSDAY BEFORE A CIVIL SERVICE COMMISSION EXAMINER IN A FRESH APPEAL OF HIS DEMOTION FROM A TOP SECURITY JOB AT THE STATE DEPARTMENT.

THE EXAMINER WILL PREPARE RECOMMENDATION FOR SUBMISSION TO THE COMMISSION'S APPEAL BOARD WHICH WILL THEN REPORT TO THE FULL CIVIL SERVICE COMMISSION.

OTEPKA WAS DEMOTED TO NONSECURITY DUTIES AND REPRIMANDED BY SECRETARY OF STATE DEAN RUSK LAST DEC. 2.

OTEPKA HAS BEEN UNDER INVESTIGATION BY THE STATE DEPARTMENT FOR FOUR YEARS ON CHARGES THAT HE GAVE CONFIDENTIAL DOCUMENTS IN VIOLATION OF A PRESIDENTIAL ORDER TO THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

IF THE CIVIL SERVICE COMMISSION DOES NOT APPROVE OTEPKA'S APPEAL, HE IS EXPECTED TO FIGHT HIS DEMOTION AND REPRIMAND BY RUSK THROUGH THE COURTS.

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On Burkhardt's file cabinet is a sticker saying: "This job is so secret I don't know what I'm doing."

Secretary Demanded Out

But their secretary, Vivian Murdoch, couldn't quite make it. She had no work to do, either. And by last week, according to the two men, she was frightened by the dark and emptiness of the building.

"What finally did it," said Hite, "was the mouse she saw in the wastebasket last Wednesday. Under other circumstances, it would have been funny. But she called up and demanded a transfer, and they gave it to her."

Hite said he and Burkhardt sent off numerous memos to their superiors, most of which weren't answered. They said they haven't talked to their immediate superior, James T. Waldon, who is comparatively new on the job.

Waldon refused to comment on the matter yesterday.



-Star Photographer Paul Schmick

Hite and Burkhardt in their office.

EX-OTEPKA AIDES A

2 Jobs at State That Aren't

B. APPROX. 1:30
By JAMES WELSH
Star Staff Writer

For the last 15 months Harry M. Hite and Edwin A. Burkhardt have been paid to do nothing.

Every workday morning at 8:45 they have reported to a dreary suite of offices, labeled Bureau of Inter-American Affairs, Special Projects Staff, in an all-but-deserted State Department annex building at 23rd and D Streets NW.

They would read newspapers, play the radio, talk, drink coffee, go to lunch, come back, read some more, and occasionally fire off memos to their State Department superiors asking for something to do or for a re-assignment.

Every Thursday they drew their pay—Hite, 42, of Vienna, Va., a GS-13 making \$15,304 a year, Burkhardt, 44, of Colesville, Md., a GS-12 making \$12,989.

An uneventful life — uneventful until yesterday, when Sen.

John J. Williams, R-Del., rose on the Senate floor to threaten a move for dismissal of their superiors, whom he did not name, unless they gave a useful assignment to the two men within 72 hours.

"Their only crime," Williams said, "is that they told the truth to a Senate committee" concerning Otto Otepka.

In March 1964, Hite and Burkhardt, then security officers working for Otepka, at that time the department's chief security evaluator, testified in behalf of their boss. Since then, Otepka has been disciplined and demoted for giving Senate committees access to department security records.

Rep. H. R. Gross, R-Iowa, followed Williams with an even stronger statement. He said the two men had been banished to "The State Department's Siberia." If nothing is done about it, he said, "heads should roll in the State Department, and first man to go should be Dean Rusk."

Sen. James Eastland, D-Miss, chairman of the Internal Security subcommittee, fired off a charge that Rusk, "knowing what he called 'personnel' situation."

To Get New Jobs

With all the flack, State began moving. At 5:15 p.m. came a terse departmental statement that the two men were to be given new jobs. Hite will go to State's division of supply and transportation to do procurement and contracting work. Burkhardt again is to be a security evaluator in the office of personnel.

Their old work had been "phased out," and the department has been working for some time on reassigning them, said the statement.

According to Hite and Burkhardt, they had little meaningful work to do, ever since they were abruptly transferred from security work to the Bureau of Inter-American Affairs two weeks after they testified in behalf of Otepka's stand against State.

"We were told we were assigned to a highly sensitive project, and we were instructed not to discuss it," Hite told reporters yesterday.

Said Burkhardt: "Because of that, we can't tell you about it, but I will say there was little of substance to the project."

Said Hite: "It was nothing we could sink our teeth into."

They said the work gradually dwindled until October 1966, when they were informed the jobs would be abolished. They were told reassignment would come within a few days. It never came.

A Lonely Place

As time went on, they became increasingly isolated in the annex building. More and more offices were relocated. By yesterday, Hite and Burkhardt were the only occupants of the first four floors, and visitors had a tough time locating them.

Neither man makes any secret of his belief the Otepka affair was at the root of their limbo-like status.

"There's no doubt of it," said Hite. "The only thing I'm puzzled at is why a government employee should be treated this way. If we had done something wrong, we should have been charged."

"We've stayed on as a matter of principle. If they thought they would force us to resign, they were wrong."

Hite and Burkhardt kept their sense of humor.

On a wall of Hite's office is a blue and yellow pennant reading "State Pen." On his door is a cartoon showing a man with a crate for a desk and two other men in the office, one of them saying: "We've tried everything, but we can't make Smedley resign."

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New Security Job for Otepka?

Otto F. Otepka may be down, but, his supporters insist, he's not out. Senate Judiciary Chairman James O. Eastland (D-Mass.) is sponsoring a bill to create a new security agency that, he says, would be just right for Foggy Bottom's former guardian of security clearances. The proposed new agency would take over security checks for the State Department and most other civilian branches of the Government.

Otepka was fired as State chief security evaluator in 1963 for supplying classified documents to Eastland's Internal Security Subcommittee. Two months ago, after a long legal hassle, Secretary of State Dean Rusk ordered him demoted to a non-security post instead.

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2 'Isolated' Otepka Aides Get Work

Sen. John J. Williams (R-Del.) protested yesterday that the State Department was maintaining "an isolation ward" for two officials who once were members of Otto F. Otepka's security staff.

Williams warned that he would demand the removal of whoever at State was responsible unless the situation was remedied "within 72 hours."

Deputy Under Secretary for Administration Idar Rimestad's office quickly reassigned the two men, Harry Hite and Edwin A. Burkhardt, before the afternoon was over.

Williams said the two were being punished "for telling the truth to a Senate subcommittee" in its investigation of the Otepka case.

Once the State Department's deputy security director, Otepka was ordered fired in 1963 by Secretary of State

Dean Rusk for supplying classified documents to the Senate Internal Security Subcommittee. Rusk changed this order two months ago to a demotion and a reprimand. Otepka is appealing to the Civil Service Commission.

Hite and Burkhardt were both bumped from their security posts shortly after Otepka was ordered out.

The two were assigned to the Bureau of Inter-American Affairs, but Williams said they have actually been "twiddling their thumbs" for the past 18 months on an otherwise deserted floor of a State Department annex.

Williams said he was "shocked." Both Hite, who earns \$15,307, and Burkhardt, who makes \$12,899 a year, have had "practically no work since 1963" and none since 1966 although both repeatedly asked for assignments, the Senator said.

The new assignments were found quickly yesterday afternoon. Hite was given "procurement and contracting duties" in the State Department's Division of Supply and Transportation. Burkhardt was named a personnel security evaluator in the Employment Division.

Williams said he was "shocked." Both Hite, who earns \$15,307, and Burkhardt, who makes \$12,899 a year, have had "practically no work since 1963" and none since 1966 although both repeatedly asked for assignments, the Senator said.

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 People's World _____

Date February 15, 1968
 Page D-6

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OTEPKA BACKERS FREED FROM 'EXILE'

Cold War Ends for 2 in State Department

By DAN THOMASSON
 Scripps-Howard Staff Writer

In less than one day a Congressional and press blitz has freed two Federal employes from a State Department "Siberia" where they had been languishing for more than two years.

Exile ended today for Harry Hite, 42, and Ed Burkhardt, 44, only a few hours after two U.S. senators summoned by the press, visited their cockroach-infested office in a nearly empty State Department annex.

They were given new assignments in the Department's sparkling main headquarters less than a block away.

Mr. Hite and Mr. Burkhardt were banished from the mainstream of State Department activity about four years ago after testifying in behalf of their former boss, Otto Otepka — the controversial security officer fired for speaking out against his superiors.

For about a year, they were given quarters in the main Department building and assigned to a "highly secret" project in the Bureau of Inter-American Affairs. The project was so "sensitive" even they didn't know what it was.

Then, in 1965, they were sent to the annex with no work assignment at all. They spent their time reading newspapers and periodically writing memos to superiors who didn't bother to reply.

For a time, they had a secretary. But she came into the office one day, found a dead mouse in her wastebasket and tearfully called the main building to ask for a transfer.

With the secretary went the men's only contact with those who run the State Department. The secretary would pick up their checks every other Tuesday, carry back news and collect their mail, whenever there was any.

Thruout their exile, the two men maintained a rigid 9 a.m. to 5:30 p.m. schedule "just to give them no reason to fire us."

For more than three years, Mr. Hite and Mr. Burkhardt didn't even have a performance rating despite Civil Service regulations requiring such a rating once a year.

Then they noticed the few people in the building began moving out and they learned from the elevator operator the structure was to come down.

"We were all prepared to sit here and let the bricks fall down around us," Mr. Burkhardt said.

But that won't be necessary since Sen. John J.

Williams (R., Del.) and Bourke Hickenlooper (R., Iowa), both ranking members of the Senate Foreign Relations Committee, visited the men and came away threatening to tear the bricks down around State Department brass if something weren't done immediately.

"This thing doesn't even go on in Russia,"

cracked Sen. Hickenlooper. "It isn't going to happen here."

Red-faced State Department Chiefs — mumbling something about wishing they had known sooner — moved quickly to offer Mr. Burkhardt and Mr. Hite "meaningful" assignments to which they report today.

C. Otepka *E. Burkhardt*

The Washington Post

Times Herald

The Washington Daily News 7

The Evening Star (Washington) _____

The Sunday Star (Washington) _____

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

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The Sun (Baltimore) _____

The Worker _____

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The Wall Street Journal _____

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Senator Demands Work For Two in State Dept.

Sen. John J. Williams, R-Del., threatened to ask for dismissal of top State Department officials unless they give two department employees something to do. E. APPROX 1966

Williams said the employees, Harry M. Hite and Edwin A. Burkhardt, have been sitting in an old department annex at 22nd and D Streets since November 1965 with no work to do in spite of repeated requests for assignments.

"Their only crime is they told the truth to a Senate committee," Williams said.

He said they had testified in Senate hearings on the case of Otto Otepka, a former State Department security officer who has been disciplined and demoted for giving Senate committee staffs access to department records which Otepka said showed poor security at the department.

"These two men are back in the corner; I had to search for them for about 10 minutes," Williams said. "Their only duty is to report at 9 and to sit there and look at each other."

The lawmaker said that if nothing is done by the State Department about Hite and Burkhardt within the next 72 hours, "I will introduce a resolution

asking for the immediate removal of their superiors."

He did not identify the superiors.

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) pg. B-2
 The Sunday Star (Washington) _____
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Date Feb 14, 1968

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Senate Unit Asks Otepka 'Justice'

The Senate Internal Security subcommittee has concluded that the case of Otto Otepka—demoted from his job as the State Department's security chief—should not be closed until he receives "full justice."

Otepka originally was dismissed for giving classified State Department documents without authorization to the subcommittee's chief counsel, J. G. Sourwine, in 1963. Secretary of State Dean Rusk ruled last December that the punishment should be limited to a demotion, reassignment and a reprimand. Otepka has appealed to the Civil Service Commission.

The subcommittee has issued 24 volumes on its hearings on the Otepka case.

The comments and conclusions represent the views of the entire subcommittee, Sourwine said yesterday.

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 Times Herald _____
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 The Sunday Star (Washington) _____
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 The Sun (Baltimore) _____
 The Worker _____
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 The Wall Street Journal _____
 The National Observer _____
 People's World _____
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UPI-101

(EASTLAND)

WASHINGTON--THE SENATE INTERNAL SECURITY SUBCOMMITTEE TODAY ACCUSED THE STATE DEPARTMENT OF PUNISHING SIX ASSOCIATES OF ITS FORMER TOP SECURITY EVALUATOR, OTTO F. OTEPKA, THROUGH A "GUILT BY ASSOCIATION" POLICY.

OTEPKA WAS REMOVED FROM HIS POSITION AFTER HE GAVE THE COMMITTEE HIS OWN ACCOUNT OF A PURPORTED DEPARTMENTAL CONTROVERSY OVER HIS STRICT ADHERENCE TO FEDERAL SECURITY LAWS, SEN. JAMES O. EASTLAND, D-MISS., THE SUBCOMMITTEE CHAIRMAN, SAID.

EASTLAND RELEASED A SUBCOMMITTEE REPORT OF THE 1963-65 HEARINGS SAYING THE STATE DEPARTMENT AT THE SAME TIME TRANSFERRED SIX OF OTEPKA'S ASSOCIATES WHO SUPPORTED HIM IN THE CONTROVERSY, SENDING ON AS FAR AWAY AS EL PASO, TEX.

"IN THIS SUDDEN, DRAMATIC STAFF SHAKEUP," THE REPORT SAID, "THE DEPARTMENT TOLD SOME OF THE TRANSFERREES THAT THEY HAD TALENTS NEEDED IN ANOTHER PROJECT. IT COINCIDED WITH THE MOVE TO GET RID OF OTEPKA.

"IT IS, THEREFORE, BEYOND REASONABLE BELIEF THAT THE THINGS ALL HAPPENED BY COINCIDENCE," THE ONLY LOGICAL CONCLUSION IS THAT WHEN OTEPKA SUPPORTERS WERE SWEEPED OUT OF THE EVALUATION DIVISION IT WAS PART OF A PATTERN TO SMASH THE OTEPKA INFLUENCE AND PHILOSOPHY.

"AND SINCE NO SERIOUS CHARGES WERE PLACED AGAINST HIS SUPPORTERS THIS SUGGESTS THE USE OF 'GUILT BY ASSOCIATION'--A PRACTICE OFTEN BITTERLY DENOUNCED BY PSEUDO-LIBERALS, BUT JUST AS FREQUENTLY USED BY SOME OF THEM WHEN CONVENIENT."

EASTLAND'S SUMMATION OF THE REPORT IN A PUBLIC STATEMENT DID NOT NAME THE SIX ASSOCIATES.

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WASHINGTON CAPITAL NEWS SERVICE

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C. W. B. D.
E. J. R.

IS PERJURY UNIMPORTANT?

The latest chapter in the case of Otto F. Otepka, demoted years ago as State Department security chief and recently reprimanded by Secretary Dean Rusk, has just been written by the Senate Internal Security subcommittee.

Otepka Story's Latest Chapter

Three State Department employees told the subcommittee three widely differing stories about bugging Mr. Otepka's office prior to his demotion. The trio—David I. Belisle, Elmer D. Hill, John Reilly—were treated with great leniency by the State Department, especially as regards their personnel files. Says the subcommittee:

The impression has inevitably been created—and only the State Department can undo this impression—that it regards perjury before a committee of Congress as a quite minor matter.

Your move, Mr. State Department.

The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) _____
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 The Sun (Baltimore) _____
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 The National Observer _____
 People's World _____

Date JAN 11 1968

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Senators Hit State Dept. In Otepka Case Report

A2 By the Associated Press

The Senate internal security subcommittee accuses the State Department of dealings mildly with three of its officials who allegedly "bugged" the office phone of Otto F. Otepka, the department's demoted security chief.

The subcommittee said in a report released today that the department "allowed two witnesses who had lied to the subcommittee to resign with no prejudicial material in their personnel files to prevent further government employment, and it retained . . . one of the trio on its payroll."

Otepka was demoted, reprimanded and reassigned for hav-

ing furnished the subcommittee's counsel, J. G. Sourwine, with classified material in 1963. He appealed to the Civil Service Commission after Secretary of State Dean Rusk decided the case last December.

The subcommittee said because of the "soft treatment" of the three employees, "the impression has inevitably been created—and only the State Department can undo this impression—that it regards perjury before a committee of Congress as a quite minor matter."

The State Department had no comment.

The charge was made in the second part of the subcommittee's report summing up findings of its 1963-65 hearings on State Department security in general and the Otepka case in particular. The report reprints testimony made public earlier, interposing the subcommittee's opinion about witnesses and their testimony.

The three referred to are John Reilly, former deputy assistant secretary for security; Elmer D. Hill, former head of the division of technical services in Reilly's office; and David I. Belisle, then Reilly's special assistant.

The subcommittee said Reilly and Hill first denied but later admitted they had installed a listening device in Otepka's office about it after his return, the office. Belisle, who was out of the country when the "bug" was installed, denied any knowledge of it, but later said he was told report added.

Reilly and Hill were first suspended, then both retired. Belisle did not resign and is now an administrative officer at the U.S. Embassy in Bonn.

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The Washington Post

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The Sun (Baltimore) _____

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3 Senators Laud Otepka, Hit State

By the Associated Press

Three senators heaped praise yesterday on Otto F. Otepka and one of them accused the State Department of obstructing the work of Congress.

The individual views on the case of the demoted former State Department security officer came from Sens. James O. Eastland, D-Miss., Thomas J. Dodd, D-Conn., and Strom Thurmond, R-S.C. They are printed in a new volume on "State Department Security" released yesterday by the Senate Subcommittee on Internal Security.

Eastland and Dodd, the subcommittee's chairman and vice chairman respectively, made a joint statement. Thurmond issued a separate one.

Otepka, the State Department's former chief security evaluator, was dismissed from the service in November 1963 on charges that he had given classified material to J. G. Sourwine, counsel for the subcommittee. Otepka appealed and Secretary of State Dean Rusk ruled last month that he should be demoted, reassigned and severely reprimanded, but not dismissed.

Otepka has appealed this ruling to the Civil Service Commission. Meanwhile, he remains on the payroll.

'Debt of Gratitude'

Eastland and Dodd said Otepka set an inspiring example by "remaining steadfast to the uncompromising principles and high standards which should and

should be followed by all government employees."

"The Senate, the Congress and the country owe a debt of gratitude—a debt which today remains still unpaid—to Otto Otepka."

None of these bodies, it added, "should be willing to consider the Otepka case closed until Mr.

Otepka stands free of all continued punishments or harassments of any kind... we must not rest until full justice has been done to Otto Otepka."

Thurmond joined the two Democrats in praising Otepka but went far beyond them in assailing the State Department. He said in his statement that Rusk's decision to demote Otepka "confirms in many ways the disturbing findings" of the subcommittee. He said what he called stubborn insistence of the department in maintaining three charges against Otepka represent a grievous scandal.

The Washington Post

Times Herald _____

The Washington Daily News _____

The Evening Star (Washington) _____

The Sunday Star (Washington) ☒

Daily News (New York) _____

Sunday News (New York) _____

New York Post _____

The New York Times _____

The Sun (Baltimore) _____

The Worker _____

The New Leader _____

The Wall Street Journal _____

The National Observer _____

People's World _____

Date January 7, 1968

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Otepka Praised by Three Senators

Associated Press

Three Senators heaped praise yesterday on Otto F. Otepka, and one of them accused the State Department of obstructing the work of Congress.

The individual views on the case of the demoted former security officer came from Sens. James O. Eastland, (D-Miss.), Thomas J. Dodd, (D-Conn.), and Strom Thurmond, (R-S.C.). They are printed in a new volume on "State Department Security" released yesterday by the Senate Subcommittee on Internal Security.

Eastland and Dodd, the subcommittee's chairman and vice chairman respectively, made a joint statement. Thurmond issued a separate one.

The two senatorial statements, printed as introductions to the report, are the only new material in the volume, the first in a series of four.

Otepka, the State Department's former chief security evaluator, was dismissed from the service in November, 1963, on charges that he violated rules by giving classified

material to J. G. Sourwine, counsel for the subcommittee. Otepka appealed and wsecretary of State Dean Rusk ruled last month that he should be demoted, reassigned and severely reprimanded; but not dismissed.

Eastland and Dodd said that Otepka set an inspiring example by "remaining steadfast to the uncompromising principles and high standards which should motivate a majority of the professional security officers who serve our Government."

Thurmond joined the two Democrats in praising Otepka but went far beyond them in assailing the State Department. He said in the Department's personnel security policy "is manifestly contrary to the intentions of Congress... The State Department has indulged in illegal acts, the destruction of the careers of honest men, misrepresentation, and perhaps perjury, in order to prevent Congress from carrying out its constitutional functions. This is an arrogant challenge, which must not be allowed to stand."

The Washington Post

Times Herald *A 19*

The Washington Daily News _____

The Evening Star (Washington) _____

The Sunday Star (Washington) _____

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Sunday News (New York) _____

New York Post _____

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People's World _____

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SEN. STROM THURMOND, R-S.C., JOINED EASTLAND AND DODD IN SUPPORTING OTEPKA. IN A STATEMENT OF HIS INDIVIDUAL VIEWS, HE CHARGED THAT OTEPKA HAD BEEN WRONGED AND DESCRIBED HIM AS "A DEDICATED AND LOYAL PATRIOT WHO HAS SUFFERED EXTRAORDINARY, CALCULATED HARASSMENT BECAUSE HE ATTEMPTED TO CARRY OUT CONSCIENTIOUSLY THE NATIONAL SECURITY PROGRAM PRESCRIBED BY LAW OR LEGISLATION."

OTEPKA, AT THAT TIME CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE, WAS FIRED BY RUSK IN NOVEMBER, 1963, FOR ALLEGEDLY GIVING THE SUBCOMMITTEE CLASSIFIED INFORMATION FROM PERSONNEL SECURITY FILES. OTEPKA TESTIFIED THAT HE DID DO ONLY TO REBUT MISINFORMATION ABOUT HIM PREVIOUSLY PROVIDED TO SUBCOMMITTEE BY HIS SUPERIORS.

OTEPKA APPEALED HIS DISMISSAL AND REMAINED ON THE STATE DEPARTMENT PAYROLL AT \$20,000 PER YEAR, ALTHOUGH HE WAS ASSIGNED TO NONPERSONNEL SECURITY MATTERS PENDING A FINAL DECISION.

AFTER A SERIES OF DELAYS AND POSTPONEMENTS, OTEPKA'S APPEAL WAS HEARD LAST YEAR BY A HEARING OFFICER, EDWARD A. DRAGON, A LAWYER FOR THE AGENCY OF INTERNATIONAL DEVELOPMENT, UPON WHOM BOTH SIDES HAD AGREED.

DRAGON FOUND OTEPKA GUILTY OF CONDUCT UNBECOMING OF A DEPARTMENTAL OFFICER, AND HIS RECOMMENDATION LED RUSK LAST MONTH TO REVISE HIS ORIGINAL DISMISSAL ORDER. OTEPKA WAS REPRIMANDED, REDUCED IN RANK WITH A \$5,000 PER YEAR SALARY CUT, AND ASSIGNED TO GENERAL ADMINISTRATIVE CHORES.

HE HAS APPEALED HIS DEMOTION TO THE CIVIL SERVICE COMMISSION.

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OTTO F. OTEPKA

UPI-85

(SECURITY)

WASHINGTON--CHAIRMAN JAMES O. EASTLAND, D-MISS., OF THE SENATE INTERNATIONAL SECURITY SUBCOMMITTEE CHARGED TODAY THAT LENGTHY HEARINGS HAD DISCLOSED MANY SHORTCOMINGS IN STATE DEPARTMENT PROCEDURES REGARDING PERSONNEL SECURITY.

EASTLAND AND THE SUBCOMMITTEE VICE CHAIRMAN, SEN. THOMAS J. DODD, D-CONN., SAID RECOMMENDATIONS WOULD BE MADE SOON FOR CONGRESSIONAL LEGISLATION TO CLOSE "GAPS" IN PERSONNEL SECURITY ARRANGEMENTS.

EASTLAND AND DODD ALSO CALLED FOR A COMPLETE VINDICATION OF STATE DEPARTMENT SECURITY OFFICER OTTO OTEPKA, WHO LAST MONTH WAS REPRIMANDED AND DEMOTED AFTER A STATE DEPARTMENT HEARINGS ON CHARGES THAT HE GAVE UNAUTHORIZED INFORMATION FROM PERSONNEL SECURITY FILES TO THE SUBCOMMITTEE.

EASTLAND AND DODD STATED THEIR "INDIVIDUAL VIEWS" IN A STATEMENT PREFACING A SUBCOMMITTEE REPORT BASED ON HEARINGS ON REGARDING STATE DEPARTMENT SECURITY, WHICH LASTED FROM 1963 TO 1965. THE SUBCOMMITTEE LAST YEAR RELEASED 20 VOLUMES OF THE TESTIMONY, MUCH OF IT CONCERNED WITH THE OTEPKA CASE.

THE REPORT ISSUED SATURDAY, ONE OF SEVERAL THE SUBCOMMITTEE PLANS, DEALT PARTICULARLY WITH THE QUESTION OF WHETHER THE STATE DEPARTMENT OFFICIALS WERE ON SOLID GROUND IN INTERPRETING A PRESIDENTIAL ORDER OF 1948 FORBIDDING THE RELEASE OF CONFIDENTIAL INFORMATION FROM PERSONNEL SECURITY FILES.

THE POSITION TAKEN BY EASTLAND DODD WAS THAT "NO LEGISLATIVE BODY CAN DISCHARGE ITS DUTIES WITH MAXIMUM EFFICIENCY WITHOUT THE POWER TO CONDUCT EFFECTIVE INVESTIGATIONS RESPECTING THE ACTIVITIES IN THE EXECUTIVE BRANCH OF THE GOVERNMENT, MOST SPECIALLY WHERE THE WRONGDOING OR SUBVERSIVE ACTIVITY IS INVOLVED."

DURING THE HEARINGS THE SUBCOMMITTEE COUNSEL, J.R. SOURWINE, REPEATEDLY CHALLENGED THE CONTENTION BY SECRETARY OF STATE DEAN RUSK AND OTHERS THAT DEPARTMENT OFFICIALS WERE FORBIDDEN UNDER EXECUTIVE ORDER TO DISCLOSE CERTAIN TYPES OF PERSONNEL INFORMATION WHICH THE SUBCOMMITTEE WANTED.

35 JAN 11 1968

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OTEPKA APPEALING DEMOTION BY RUSK

Ex-Security Official Takes
Case to Civil Service

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WASHINGTON, Dec. 21 (AP)

—Otto F. Otepka, the State Department's former chief security evaluator, has appealed Secretary of State Dean Rusk's decision to demote, reassign and severely reprimand him, his lawyer said today.

The appeal was submitted to the Civil Service Commission, the attorney, Roger Robb, said.

The commission will consider the appeal without hearings, on the basis of material to be submitted by Mr. Robb and Irving Jaffe, a Justice Department attorney who represents the Government in the case.

There is no time limit for the appeal section of the Civil Service Commission to hand down a decision, Mr. Robb said.

He said Mr. Otepka had accepted a job as a management analyst offered him by the State Department after Mr. Rusk's decision.

This means, department officials explained, that Mr. Otepka remains on the payroll despite his appeal. In his new job he will earn \$15,106 a year. His pay in the security post was more than \$20,000.

Mr. Rusk dismissed Mr. Otepka in November, 1963, on charges that he had given classified material to J. G. Sourwine, counsel of the Senate Internal Security subcommittee, without authorization.

Mr. Otepka appealed within the department and was held guilty of "conduct unbecoming an officer of the Department of State." But Edward A. Ragon, the hearing officer, recommended that Mr. Rusk, in making

his final decision, consider Mr. Otepka's argument that there was no "established standard of conduct" for Federal employees.

The order for demotion and reprimand—rather than dismissal—was the result.

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THE WASHINGTON POST
 Thursday, Dec. 21, 1967 A 25

Otepka Appeals U.S. Demotion

Chicago Tribune Press Service

Otto F. Otepka, former chief security evaluator in the State Department, yesterday appealed his recent demotion to the Civil Service Commission.

Otepka charged that the demotion to non-security duties, approved by Secretary of State Dean Rusk on Dec. 9, ignored the law and, in effect, declared he was a security risk.

Clifford
Eg/A
R. Otepka
C. Otepka

The Washington Post _____
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 The Washington Daily News _____
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
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 The Wall Street Journal _____
 The National Observer _____
 People's World _____

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Undiplomatic bouncing

For four years the State Department has been trying, not always diplomatically, to get rid of former security officer Otto F. Otepka.

On Dec. 9, Secretary Dean Rusk thought he'd come to a solution.

On the basis of a hearing, he reprimanded Otepka, reduced him in grade from GS-15 to GS-14, and awarded him a cubbyhole. But Otepka is as stubborn as a beard.

He says he is appealing to the Civil Service Commission, but expects that agency quite naturally to sustain the administration verdict. Then he will start the long fight through the courts.

"This has cost me \$24,000 for lawyers," Otepka sighs, "and I haven't even gotten my case out of the State Department."

His troubles started, he says, when he stood up against the palsy-walsy establishment within the State Department, where cliques protect their members.

Otepka, 48, was chief of the evaluations branch in the security section. He conducted no investigations himself, but evaluated FBI investigations of department employees.

The son of an immigrant blacksmith from Czechoslovakia, Otepka, a Civil Service employee, considered himself a loyal and trustworthy worker.

He was a loner, however, among the homburges. He was not a member of any of the elite cliques that hold much power within the department. That alone went against the grain of higher-ups.

Otepka maintains that he became a target of the tony "in-crowd" because, ironically, he did his job all too well.

Time and again he refused security clearance to pals of The Established Order. For example, he opposed the rehabilitation and rehiring of Alger Hiss

and John Paton Davies. The latter had been fired by the department on security grounds—only to be secretly hired by the CIA.

State even tried to get rid of Otepka by promoting him. In 1963 he was offered a plush position in the Foreign Service, but he refused.

He declined the offer—knowing full well, he said, that the purpose was simply to get rid of him some how.

In December, 1960, Otepka says, Secretary Rusk called him in for a behind-the doors chat to sound out his thoughts on security measures. He says he informed the Secretary, bluntly, that he would adhere to the letter of the law.

Rusk, he says, then informed him the administration wanted to appoint Walt Rostow to a big position in State. As the result of Otepka's evaluation, Rostow could not be cleared for State. He had refused clearance before by the Air Force and State.

Otepka explains that Rostow was refused security clearance on the basis of family background tinged with socialism. He says that regulations gave him no choice but to evaluate as he did.

This unbending attitude was to get him in trouble.

The White House wanted Rostow. The regulations were simply circumvented. Rostow was taken on by the White House, so State wasn't involved in security check (although the FBI investigated). Then Rostow was reassigned to State.

Nothing was found against Rostow. He was barred from State security by the regulations—and unbending Otepka.

Rostow now is a special assistant to the President.

This was a typical case where Otepka was unyielding. Eventually he was charged with giving State papers to a Senate committee, then his long fight on the principle of the thing began.

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Rep. John Ashbrook, Ohio Republican, says "the abuses of some State Department officials read like a chapter from the Mafia: safecracking, mutilation of documents—a federal offense in this case—possible perjury, wiretapping."

As result of the long, drawn-out case, Otepka's wife, Edith, has had to go back to teaching school. She says: "I know Otto is right. I know things are bound to come out all right in the end."

The Washington Post

Times Herald

The Washington Daily News

The Evening Star (Washington)

The Sunday Star (Washington)

Daily News (New York)

Sunday News (New York)

New York Post

The New York Times

The Sun (Baltimore)

The Worker

The New Leader

The Wall Street Journal

The National Observer

People's World

Date DEC 21-24, 1967

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Otepka Reports To New Job, Takes Leave

Associated Press

Otto E. Otepka, former chief security evaluator of the State Department, reported for work yesterday at the office of the Deputy Assistant Secretary for Organization and Management.

Secretary of State Dean Rusk ruled earlier this week that Otepka be reprimanded, demoted and reassigned to the Office for Organization and Management.

Otepka was charged with giving classified information to a Senate subcommittee without authorization.

Otepka showed up yesterday morning, inquired about his new job and then asked to be given leave until early next year. The request was granted.

The Washington Post _____
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Date DEC 14 1967

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Demoted, Otepka Stays On

Otto F. Otepka, State Department security officer fired and demoted by Secretary Dean Rusk, will try out his new job before deciding on an appeal, his lawyer said yesterday.

The Department confirmed that Otepka, fired by Rusk four years ago for giving confidential information to Congress, had been given a "severe reprimand" and his salary reduced from about \$20,000 a year to about \$15,000.

Rusk acted after a trial examiner who heard Otepka's appeal upheld his earlier dismissal on grounds he gave the information to the Senate Internal Security Subcommittee. Rusk, however, backed down from his original dismissal order and demoted Otepka to the directives staff of the Management Analyst Office.

Otepka's attorney, Roger Robb, said the description of the new post was "too vague" to permit his client to decide now whether he wants to fill it or appeal to a higher authority. He said he would make up his mind later.

If he chose, Otepka could take his appeal to the Civil Service Commission. If he was turned down there, he could take it to the courts. So far, he has been appealing within the framework of the State Department's hearings system.

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Date December 13, 1967

Page A-2.

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Otepka Waits To Try Job ^{MO} Before Appeal

By United Press International

Otto F. Otepka, State Department security officer fired and demoted by Secretary Dean Rusk, will try out his new job before deciding on an appeal, his lawyer says.

The department confirmed yesterday that Otepka, fired by Rusk four years ago for giving confidential information to Congress, was given a "severe reprimand" and that his salary was reduced from about \$20,000 a year to about \$15,000.

Rusk acted after a trial examiner who heard Otepka's appeal upheld his earlier dismissal on grounds he gave the information to the Senate Internal Security subcommittee. Rusk, however, backed down from his original dismissal order and demoted Otepka to the directives staff of the Management Analyst Office.

Otepka's attorney, Roger Robb, said the description of the new post was "too vague" to permit his client to decide now whether he wants to fill it or appeal to a higher authority. He said he would make up his mind later.

Otepka could take his appeal to the Civil Service Commission. If he was turned down there, he could take it to the courts.

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OTTO F. OTEPKA

UPI-222

(SECURITY)

DALLAS--DR. ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE, SAID TODAY THAT THE STATE DEPARTMENT MAY FIRE ONE OF ITS SECURITY OFFICERS FOR GIVING THE SUBCOMMITTEE INFORMATION.

MORRIS SAID OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF THE STATE DEPARTMENT'S SECURITY OFFICE, HAS BEEN GIVEN 10 DAYS TO ANSWER CHARGES HE GAVE CLASSIFIED INFORMATION TO THE INTERNAL SECURITY SUBCOMMITTEE.

MORRIS WAS CHIEF COUNSEL OF THE SUBCOMMITTEE FROM 1951 TO 1953 AND AGAIN FROM 1956 TO 1958.

"MR. OTEPKA'S OFFENSE SEEMS TO BE COLLABORATING--NOT WITH COMMUNISTS, WHOM OUR DIPLOMATS ARE EMBRACING--BUT WITH DUTIFUL SECURITY OFFICERS WHO ARE TRYING TO KEEP THEIR APPOINTED ROUNDS IN THE TRADITIONAL FASHION," MORRIS SAID.

MORRIS SAID OTEPKA WAS ACCUSED OF GIVING MATERIAL MARKED "CONFIDENTIAL AND "FOR OFFICIAL USE ONLY" TO J. G. SOURWINE, SUBCOMMITTEE CHIEF COUNSEL. THE SUBCOMMITTEE'S CHAIRMAN IS SEN. JAMES O. EASTLAND, D-MISS.

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UPI-105

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT TODAY OFFICIALLY CONFIRMED THAT SECURITY OFFICER OTTO F. OTEPKA HAS BEEN GIVEN A "SEVERE REPRIMAND" AND A SHARP REDUCTION IN SALARY FOR GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS.

PRESS OFFICER ROBERT J. MCCLOSKEY SAID THE ACTION BY SECRETARY RUSK REDUCES OTEPKA'S SALARY TO \$15,106. AT PRESENT HE IS MAKING SLIGHTLY MORE THAN \$20,000 PER YEAR.

OTEPKA, WHO WAS INFORMED OF RUSK'S ACTION LAST NIGHT, DID NOT IMMEDIATELY DISCLOSE WHETHER HE PLANNED TO APPEAL TO THE CIVIL SERVICE COMMISSION OR THE COURTS. SOME OF HIS FRIENDS IN THE DEPARTMENT SAID HOWEVER THEY WERE CONVINCED HE WOULD APPEAL, A STEP WHICH WOULD TAKE HIM OFF THE STATE DEPARTMENT PAYROLL.

RUSK FIRED OTEPKA IN NOV. 1963, ALLEGING THAT HE HAD GIVEN CONFIDENTIAL INFORMATION TO COUNSEL J.G. SOURWINE OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE. OTEPKA APPEALED WITHIN THE FRAMEWORK OF THE STATE DEPARTMENT'S OWN HEARING SYSTEM AND THUS RETAINED HIS TITLE AS CHIEF OF EVALUATIONS FOR THE SECURITY OFFICE AND THE COMMENSURATE TITLE. HE HAS NOT, HOWEVER, DURING THE INTERVENING FOUR YEARS PERFORMED THE DUTIES OF THAT OFFICE, BEING GIVEN ROUTINE WORK IN ANOTHER SECTION.

RUSK'S ACTION, WHICH BECOMES EFFECTIVE AS OF MIDNIGHT TONIGHT WAS TAKEN AFTER THE SECRETARY RECEIVED A REPORT FROM A SPECIAL HEARING EXAMINER, EDWARD A. DRAGON, A LAWYER FOR THE AGENCY FOR INTERNATIONAL DEVELOPMENT.

DRAGON FOUND OTEPKA GUILTY OF CONDUCT UNBECOMING A DEPARTMENTAL OFFICER BUT SUGGESTED THAT RUSK TAKE INTO ACCOUNT THE FACT THAT THERE WERE NO CLEAR GUIDELINES GOVERNING THE ACTIVITIES OF EMPLOYEES IN THE AREA OF THIS CASE.

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WASHINGTON CAPITAL NEWS SERVICE

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Rusk Demotes Otepka, Offers Him Analyst Job

By the Associated Press

Demotion, reassignment and a severe reprimand have been handed Otto F. Otepka, the State Department's chief security evaluator, authoritative sources report.

The decision by Secretary of State Dean Rusk means Otepka will not lose his job outright as originally ordered in November 1963.

Otepka was accused of giving security information from the department's classified files to the Senate Internal Security subcommittee in violation of standing presidential orders.

Otepka contended in his appeal that his telephone was tapped.

Among the documents Otepka was alleged to have leaked were papers concerning loyalty of some State Department employees.

If Otepka accepts Rusk's ruling, he will take a new job as a management analyst for the department—a position not involving security matters and paying about \$3,000 less a year than his present Grade 15 position.



OTTO F. OTEPKA

—AP

A State Department hearing officer, Edward Dragon, asked Rusk to take into consideration Otepka's defense that there was no uniform standard of behavior for government employees.

Otepka can appeal to the Civil Service Commission or the courts.

The Washington Post _____
 Times Herald _____
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UPI-34

(OTEPKA)

WASHINGTON--OTTO F. OTEPKA, THE CONTROVERSIAL STATE DEPARTMENT SECURITY OFFICER, TODAY FACED A DECISION ON WHETHER TO ACCEPT DEMOTION OR TAKE HIS CASE TO THE COURTS.

OTEPKA WAS CHARGED FOUR YEARS AGO WITH GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS. HE WAS NOTIFIED LAST NIGHT, IN A LETTER FROM SECRETARY RUSK TO HIS ATTORNEY ROGER ROBB, THAT HE WAS BEING REPRIMANDED AND DEMOTED BECAUSE OF HIS BEHAVIOR. RUSK ORIGINALLY FIRED OTEPKA FROM HIS POSITION AS CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE IN NOVEMBER, 1963. HE WAS ACCUSED OF HAVING GIVEN CLASSIFIED DOCUMENTS TO J.G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE. OTEPKA APPEALED HIS DISMISSAL AND ASKED FOR A HEARING WITHIN THE STATE DEPARTMENT.

ROBB SAID THAT HE DID NOT KNOW WHETHER OTEPKA WOULD APPEAL RUSK'S FINAL RULING BECAUSE HE AND OTEPKA HAD NOT HAD AN OPPORTUNITY TO DISCUSS IT. THE DEMOTION WOULD COST OTEPKA A REDUCTION IN GRADE AMOUNTING TO ABOUT \$2,000 LESS IN SALARY PER YEAR. HE IS ON THE PAYROLL NOW AT SLIGHTLY OVER \$20,000.

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Otepka to Stay at State, But Is Given Demotion

Associated Press

Otto F. Otepka, the State Department's controversial chief security evaluator, was demoted, reassigned and severely reprimanded, authoritative sources reported yesterday.

The decision, made by Secretary of State Dean Rusk, means that Otepka will not lose his job with the State Department.

Four years ago, in November 1963, he was ordered dismissed from the service for having furnished a Senate subcommittee with classified material without authorization.

In addition to the "severe reprimand" Rusk ordered:

• That Otepka be demoted

to class 14, representing a loss in salary of about \$3000 a year;

• That he be reassigned to duties not involving security matters.

Whether Otepka will acquiesce in the ruling or continue his legal fight outside the State Department could not be ascertained immediately.

Rusk's three-page ruling was dated Dec. 9. He received the report of the hearing officer, Edward Dragon, on Dec. 5.

Otepka's new job, provided he accepts the ruling, will be Management Analyst in the State Department, the sources reported.

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Otepka Demoted

Otto F. Otepka, controversial State Department security officer charged four years ago with giving confidential information to unauthorized persons, has been reprimanded for his behavior and demoted, official sources said tonight.

Mr. Otepka was notified in a letter from Secretary of State Den Rusk to his attorney, Roger Robb.

Mr. Rusk fired Mr. Otepka from his position as chief of the Evaluations Section of the security office in November, 1963. He was charged with having given classified documents to J. G. Sourwine, chief counsel of the State Internal Security sub-committee.

Mr. Otepka appealed his dismissal and asked for a hearing within the State Department, a procedure which permitted him to retain his title and salary although he was given routine indexing duties pending the outcome.

Mr. Robb said that he did not know whether Mr. Otepka would appeal Mr. Rusk's final ruling because he said Mr. Otepka had not had an opportunity to discuss it. The demotion would cost Mr. Otepka the reduction in grade amounting to about \$2000 less per year. He is on the payroll now at slightly over \$20,000.

The hearing officer finally agreed upon by the Department and Mr. Otepka was a lawyer with the Agency for International Development, Edward A. Dragon. In his ruling handed down last Tuesday, Mr. Dragon found Mr. Otepka guilty of the dereliction charged but suggested that Mr. Rusk, in making his final decisions, take into consideration Mr. Otepka's assertion that there was no regular standard of conduct for Federal employees in this area. (UPI)

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WASHINGTON (UPI)-- OTTO F. OTEPKA, CONTROVERSIAL STATE DEPARTMENT SECURITY OFFICER CHARGED FOUR YEARS AGO WITH GIVING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS, HAS BEEN REPRIMANDED FOR HIS BEHAVIOUR AND DEMOTED, OFFICIAL SOURCES SAID TONIGHT.

OTEPKA WAS NOTIFIED OF THE ACTION IN A LETTER FROM SECRETARY OF STATE DEAN RUSK TO HIS ATTORNEY, ROBER ROBB.

RUSK FIRED OTEPKA FROM HIS POSITION AS CHIEF OF THE EVALUATIONS SECTION OF THE SECURITY OFFICE IN NOVEMBER, 1963. HE WAS CHARGED WITH HAVING GIVEN CLASSIFIED DOCUMENTS TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

OTEPKA APPEALED HIS DISMISSAL AND ASKED FOR A HEARING WITHIN THE STATE DEPARTMENT, A PROCEDURE WHICH PERMITTED HIM TO RETAIN HIS TITLE AND SALARY ALTHOUGH HE WAS GIVEN ROUTINE INDEXING DUTIES PENDING THE OUTCOME.

ROBB SAID THAT HE DID NOT KNOW WHETHER OTEPKA WOULD APPEAL RUSK'S FINAL RULING BECAUSE HE AND OTEPKA HAD NOT HAD AN OPPORTUNITY TO DISCUSS IT. THE DEMOTION WOULD COST OTEPKA THE REDUCTION IN GRADE AMOUNTING TO ABOUT TWO THOUSAND DOLLARS LESS PER YEAR. HE IS ON THE PAYROLL NOW AT SLIGHTLY OVER \$20,000.

RUSK'S FINAL DECISION WAS DELAYED BY THE GRANTING OF REQUESTS FROM HIS ATTORNEY FOR A POSTPONEMENT OF THE HEARING UNTIL THE SENATE INTERNAL SECURITY SUBCOMMITTEE HAD MADE PUBLIC ALL THE TESTIMONY IT TOOK FROM OTEPKA.

THE HEARING OFFICER FINALLY AGREED UPON BY THE DEPARTMENT AND OTEPKA WAS A LAWYER WITH THE AGENCY FOR INTERNATIONAL DEVELOPMENT, EDWARD A. DRAGON. IN HIS RULING HANDED DOWN LAST TUESDAY, DRAGON FOUND OTEPKA GUILTY OF THE DERELICTION CHARGED BUT SUGGESTED THAT RUSK, IN MAKING HIS FINAL DECISIONS, TAKE INTO CONSIDERATION OTEPKA'S ASSERTION THAT THERE WAS NO REGULAR STANDARD OF CONDUCT FOR FEDERAL EMPLOYEES IN THIS AREA.

RUSK APPEARS TO HAVE DONE THIS, SINCE THE ACTION HE HAS NOW TAKEN FALLS FAR SHORT OF DISMISSING OTEPKA, AS HE ATTEMPTED TO DO FOUR YEARS AGO.

OTEPKA NOW HAS THE OPTION OF ACCEPTING RUSK'S ACTION OR APPEALING HIS CASE TOO THE COURTS. IF HE TAKES THE LATTER COURSE, HE GOES OFF THE DEPARTMENT PAYROLL.

IT IS UNDERSTOOD THAT THE JOB TO WHICH RUSK HAS ASSIGNED HIM IS IN PERSONNEL WORK BUT OTHER DETAILS WERE NOT AVAILABLE EXCEPT THAT HE WOULD NOT BE IN A POSITION OF AUTHORITY TO HIRE AND FIRE. INCLUDES PREVIOUS

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WASHINGTON CAPITAL NEWS SERVICE

State to Bare Papers for A2 Otepka Aid

By the Associated Press

The State Department has informed the head of the American Defense Fund that he can get all documents concerning the case of Otto F. Otepka he requested except one which does not exist.

Officials, in reporting this yesterday, said Jason M. Stewart of Wood Dale, Ill., director of the fund, personally called on the department and asked for six sets of documents relating to the case against its former top security evaluator.

Otepka was dismissed from the service in November 1963 but has remained on the payroll at \$20,000-plus a year pending decision on his appeal of the dismissal.

The State Department said it wrote Stewart Wednesday informing him that the documents are available for a nominal charge which the government asks in similar cases.

The American Defense Fund is understood to have been organized to assist Otepka in paying legal expenses of his defense.

Contrary to some published reports, Stewart did not ask for the transcript of the hearings which were held in the State Department between June 6-June 29, officials said. Such transcripts would not have been available anyway, as public and press was excluded from the hearing.

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Secrecy Veiling Otepka Case Hit by ACLU

By the Associated Press

The American Civil Liberties Union has protested the secrecy of a State Department hearing into the dismissal of Otto F. Otepka, the department's former chief security evaluator.

"The exclusion of the public in a matter of this importance does injury to two values we hold in high esteem," said Lawrence Speiser, director of the union's Washington office.

Speiser said these values are the right of the public to be informed "and the equally compelling right of the individual subject of the hearing to have the public present."

Otepka was dismissed in November 1963 on charges that his conduct in giving information on Capitol Hill was unbecoming an officer of the State Department. He has remained on the payroll pending final disposition of his appeal.

The appeal opened two weeks ago before Edward A. Dragon, an attorney for the Agency for International Development who was appointed by the department to serve as hearing officer.

Speiser said the department has cited two reasons for the closed hearings—to protect Otepka's privacy and to keep secret confidential documents involved in the case.

Speiser said, however, that Otepka had demanded an open hearing and said "all of the documents in question already have been published by the Senate Internal Security subcommittee."

"A further factor militating against the confidentiality argument is that should the decision of the hearing examiner be appealed to a federal court, the record of the closed hearing would become a matter of public record," Speiser added.

Speiser said the Civil Liberties Union has not taken a position on the case itself.

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UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-8-67

FROM : N. P. Callahan

OTTO OTEPKA

SUBJECT: The Congressional Record

Pages H5926-H5927. Congressman Ashbrook, (R) Ohio, spoke concerning the Otepka case and included an article from the Chicago Tribune of June 7, 1967, entitled "Blames All But Three Otepka Case Charges." Mr. Ashbrook stated "If the State Department thinks it will eventually slide this case under the rug and the whole affair forgotten, it is mistaken. Menachem's American public can be of immense assistance by learning the facts and letting their sentiments known here in Washington."

Original filed in: 65-1731-3093

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20 JUN 15 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-7-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

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UPI-38

(OTEPKA)

WASHINGTON--THE LONG DELAYED STATE DEPARTMENT HEARING ON THE CELEBRATED SECURITY CASE OF OTTO F. OTEPKA BEGAN QUIETLY TODAY WITH BOTH SIDES TIGHT-LIPPED.

THE SUBJECT IN DISPUTE IS AN ORDER BY SECRETARY RUSK, WHICH IS NOW MORE THAN THREE YEARS OLD, FIRING OTEPKA FROM HIS JOB AS CHIEF OF THE DIVISION OF EVALUATIONS IN THE DEPARTMENT'S OFFICE OF SECURITY.

RUSK ACTED ON CHARGES THAT OTEPKA:

--GAVE THE SENATE INTERNAL SECURITY SUBCOMMITTEE CONFIDENTIAL DOCUMENTS IN VIOLATION OF A PRESIDENTIAL ORDER.

--MUTILATED DOCUMENTS BY CLIPPING OFF CLASSIFIED LABELS BEFORE GIVING THEM TO THE PANEL.

--GAVE THE SENATORS A LIST OF QUESTIONS ON SECURITY PROCEDURES TO ASK HIS STATE DEPARTMENT SUPERIORS.

BEFORE GOING INTO THE HEARING ROOM, OTEPKA TOLD A NEWS REPORTER, "THIS IS MY DAY... I'VE WAITED WITH GREAT PATIENCE. THE HEARINGS HAVE BEEN POSTPONED MANY TIMES AND THEY ARE GOING TO BE CLOSED THIS TIME AT THE RULING OF THE DEPARTMENT."

HEARING THE DEPARTMENT OF STATE'S CASE AND LATER OTEPKA'S DEFENSE WAS HEARING EXAMINER EDWARD A. DRAGON.

DRAGON, A LAWYER WHO IS A CONSULTANT TO THE AGENCY FOR INTERNATIONAL DEVELOPMENT, SAID IT WOULD BE IMPOSSIBLE TO PREDICT HOW LONG THE HEARING WILL LAST.

HE SAID THE OBJECT OF THE HEARING IS TO ESTABLISH THE FACTS OF THE CASE AND THEN REFER IT TO RUSK FOR A NEW DECISION.

OTEPKA HAS DENIED ALL CHARGES. THIS HAS KEPT HIM ON THE PAYROLL AT MORE THAN \$20,000 A YEAR SINCE NOVEMBER, 1963, THOUGH HE WAS RELIEVED OF HIS PREVIOUS DUTIES AND GIVEN SUCH JOBS AS INDEXING PUBLIC DOCUMENTS.

THE HEARING HAS BEEN SCHEDULED AND POSTPONED FIVE TIMES IN THE PAST TWO YEARS, FIRST BECAUSE OF THE INABILITY TO AGREE ON A MUTUALLY ACCEPTABLE HEARING EXAMINER AND LATER TO AWAIT PUBLICATION OF THE 1.5 MILLION WORD TRANSCRIPT OF HEARINGS WHICH THE SENATE INTERNAL SECURITY SUBCOMMITTEE HAS HELD ON THE CASE.

TWO STATE DEPARTMENT OFFICIALS WHO PREVIOUSLY TESTIFIED THEY HAD NOT BUGGED OTEPKA'S OFFICE, HAVE SINCE CHANGED THEIR STORY AND SAID THEY HAD AT LEAST TRIED TO.

IF OTEPKA LOSES HIS CASE BEFORE THE PRESENT HEARING, HE MAY STILL APPEAL TO THE CIVIL SERVICE COMMISSION AND ULTIMATELY TO THE COURTS.

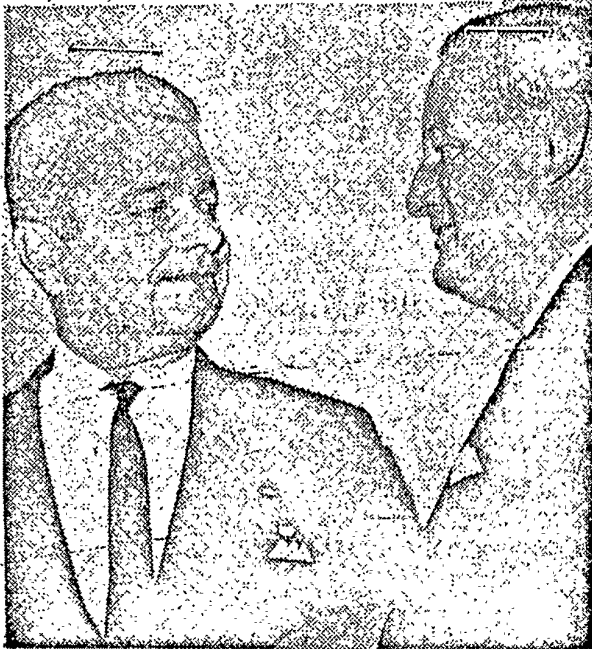
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WASHINGTON CAPITAL NEWS SERVICE

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—United Press International

OTEPKA GETS HIS CHANCE

Otto F. Otepka (left), a former State Department security officer, talks with his attorney, Roger Robb. The State Department yesterday opened its long-delayed case on charges that Otepka passed secret information to the Senate. Otepka, who has denied all charges, said, "This is my day."

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The Washington Post _____
 Times Herald _____
 The Washington Daily News _____
 The Evening Star (Washington) A-2
 The Sunday Star (Washington) _____
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 The Sun (Baltimore) _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date JUN 7 1967

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 56 JUN 13 1967

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 176 JUN 12 1967

Letters to the Editor

Common Sense

Having taught marksmanship years ago at a boys' camp, under the aegis of the National Rifle Association, I felt I was doing something constructive, something good. I still feel that way. Teaching youngsters to hold a rifle properly, aim it accurately, fire it and, most of all, to respect it put an added zest to my summer as a counselor.

However, I am totally in sympathy with your stand

against guns which can be purchased almost in any corner drug store. But the attitude that I cannot understand is that of the N.R.A. What's wrong with waiting a week or two for a license? You would have to wait that long for a membership in this organization.

I don't think this august body would want every moron to have a gun any more than they would lobby against hunting. And who has to get a gun so fast that he can't wait for a permit? We all know who. Just pick up the paper any morning and read the crime news.

I have nothing against the National Rifle Association except their lack of common sense.

EDWARD W. BENINGTON
Baltimore

The Otepka Case

Jack Anderson's column published in *The Washington Post* May 28 contains false statements about my client Otto F. Otepka.

Mr. Otepka did not filch any files, or raid the files, or "slip" any documents to Senator Dodd. In connection with his testimony before a Committee of the United States Senate he produced for the record certain memoranda and other papers from his own files. These papers were in Mr. Otepka's possession legitimately. They were relevant and material to Mr. Otepka's testimony and were received in evidence at the Committee hearing.

Mr. Anderson charges Mr. Otepka with "informing on his superiors." The fact is that Mr. Otepka challenged incorrect testimony that had been given to the Senate Committee by one or more of his superiors; and by producing papers from his own files he demonstrated that he was right. Mr. Anderson apparently believes that a witness who tells the truth under such circumstances is an informer. Does he contend that Mr. Otepka should not have corrected statements in the record that he knew to be wrong?

Mr. Anderson says "What was good for Otepka, Dodd angrily concluded, was not good for the employees who trifled with his files." From Mr. Anderson's many columns on the subject I gather that he and certain former employees of Senator Dodd surreptitiously removed thousands of papers from the Senator's files. Their purpose was to supply Mr. Anderson with material for an attack on Senator Dodd. Without debating Mr. Anderson's definition of trifling, it is enough to say that there is no similarity or analogy whatever between the action of Mr. Otepka in producing papers from his own files for the record of a Senate committee and the conduct of Mr. Anderson and his associates.

ROGER ROBB
Attorney for Otto F. Otepka
Washington

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The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date JUN 5 1967

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128 JUN 13 1967

51 JUN 14 1967

State Drops 10 Charges As Otepka Hearing Starts

A2

By George Lardner Jr.
Washington Post Staff Writer

The State Department yesterday dropped ten of its charges against Otto F. Otepka, its former guardian of security clearances who now works in a Foggy Bottom cubbyhole clipping the Congressional Record at \$20,435 a year.

The move came at the outset of a repeatedly postponed administrative hearing on Otepka's dismissal, which was ordered in 1963.

It left the ouster resting on three charges, all of them lodged against Otepka for supplying confidential documents to the Senate Internal Security Subcommittee in violation of a 1948 presidential directive.

Kept on Payroll

Formerly chief evaluator of security clearances, Otepka, 52, is being kept on the State Department's payroll in a make-work job until the case is resolved.

The charges dropped yesterday concerned allegations that Otepka was to blame for the mutilation of several classified documents and that he submitted a series of questions to be directed at two of his superiors by the Internal Security Subcommittee.

All of these charges were based on bits of paper and typewriter ribbons plucked from Otepka's "burn bag" (for classified trash).

Irving Jaffe, Justice Department attorney representing State in the proceeding, said he moved for dismissal of

the ten charges for varied "technical, legal reasons."

Dismissal of the "mutilation" charges, Jaffe declared, "had nothing to do with (problems of) proof," but he declined to elaborate.

Otepka has denied mutilating any documents and contends they were "planted" in his burn bag.

Closed Session

The hearings are being conducted by examiner Edward A. Dragon, a lawyer for the Agency for International Development, in closed session over Otepka's protests.

Otepka's attorney, Roger Robb, said Dragon also ruled, over their protests, that the transcript of the hearing will be classified "confidential" although the documents in question have all been published by the Senate subcommittee.

Otepka has admitted furnishing the documents, all concerning employee loyalty, to the subcommittee, but denies that this constitutes conduct "unbecoming an officer of the Department of State."

Otepka's defense on the charges still remaining, consequently, amounts to a claim that Government employees are bound by a "higher loyalty" rising above "persons, party or Government department."

The hearings, however, are confined to findings of fact; the issue is likely to wind up in the courts. The ruling at State is up to Secretary Dean Rusk.

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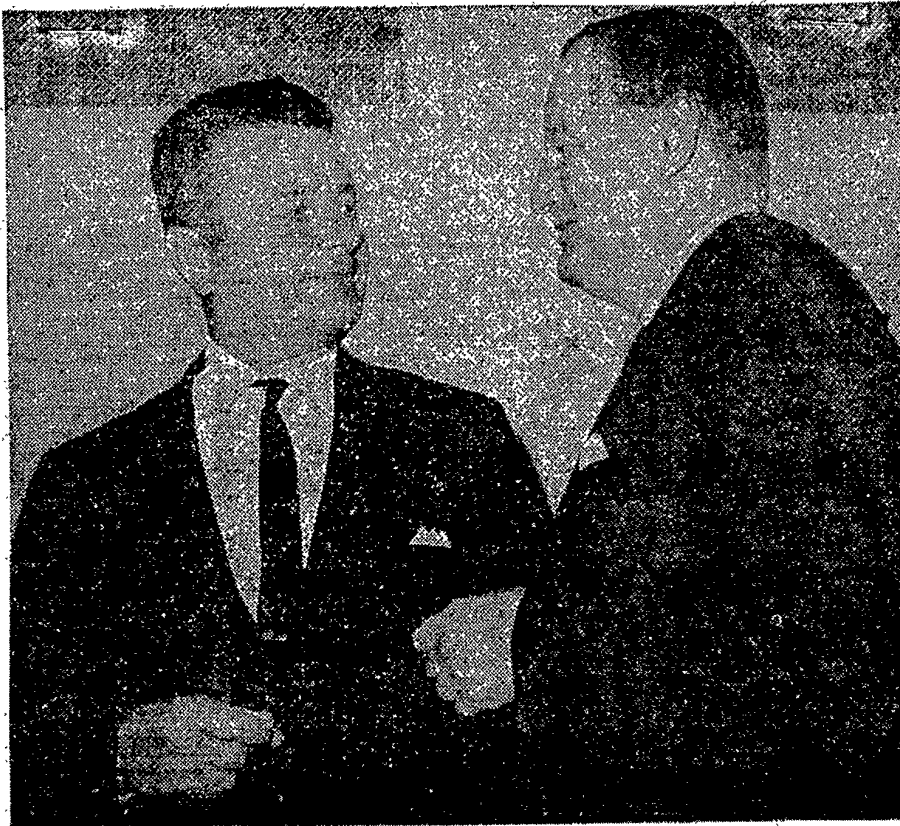
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United Press International

Otto F. Otepka, left, and his attorney, Roger Robb, during a hearing recess.

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G.O.P. Asleep at the Switch

MORE ANTI-OTEPKA INTRIGUE

This editor is sick and tired of writing about the Otepka case. Readers are sick and tired of reading about it in TACTICS. Legislators are sick and tired of having it brought up. The press practically has dropped it. Even Otto F. Otepka has had to fight against this attitude personally. And this is exactly the stalling tactic that the State Department depends upon for victory. For it hasn't a leg to stand on in the case, otherwise. If it had, it would not have presented such a contemptible spectacle of harassing and persecuting a civil servant with such a fine record of achievement. The Administration's performance in this affair is sickening, and it is time that it realized that there is a limit to the number of scandals the public---or the Congress and press---can stomach. There are ample signs that a public reaction already has set in. Here is one case that better be dealt with honorably, and without cynically continuing to drag it out.

The editor of TACTICS is going to do his utmost to keep this case alive until it is dealt with honorably. Its readers can be depended upon to pass the word, and exert their influence accordingly---and many of them are public figures. Legislators are fed up with having the powers of the Congress stolen by the Executive and being reduced to a Presidential puppet show. The press is waking to a news management technique that is making government hacks of its writers. The Otepkas---man, wife and daughter---are just not going to let this case be brushed under the carpet. Too many years of their lives have been given to for them to give up now.

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State Department circumlocution and subterfuge caused almost unprecedented delays in the publication of the testimony. Its first objective was to suppress the most relevant portions, using every artifice until finally it even attempted the old "executive privilege" gambit. Fortunately, the Senate Internal Security Subcommittee stood its ground. The effort "to get" Thomas J. Dodd, exactly as they had tried "to get" Otepka, had its connection with this case, for the Senator, more than anyone else, was carrying the ball. If Dodd can be eliminated, or sufficiently besmirched, the case could be critically hurt. The chief counsel of the committee is Julien G. Sourwine, and so we find him smeared, too, on the basis of stolen papers. If only something could happen to him, the continuity of the case would be shattered. 65-68266

In fact, at this stage, anything goes, and we can expect anything.

A hearing judge was picked out of a list offered by the State Department, who announced that his door was open and ordered him to take it easy, and quit the case when Otepka insisted on vindication by a hearing instead of accepting a deal through mediation. The next we heard, the judge was not too overworked to hand down a verdict forcing New York State to accept communists as school teachers! NOT RECORDED

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SEN. DIRKSEN AND OTHER REPUBLICANS STILL TO ACT

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MAY 2, 1967

(TACTICS, Edward Hunter, Publisher-Editor, P. O. Box 3541, Arlington, Va. 22204)

Democratic coat-tails, whose interpretation of "loyal opposition" is to be at the Democratic Party's mercy when the chips are down. This is a far cry from what voters want. The Otepka case is their opportunity to demand action by their legislators. After all, the integrity of the Congress is intimately involved, as well as the security of the nation. Lest we forget, here are the two issues in the Otepka case:

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The State Department has suggested that Otepka accept as hearing officer John Lewis, an examiner of the Federal Trade Commission. He was with the National Labor Relations Board for years as a hearing officer. He was turned down, obviously. Anyone beholden to the Administration, or with a long record of subservience to its bureaucratic or political will, would be unsatisfactory. Why the government cannot consult some eminent figure outside of it, from the legal or business community, is incomprehensible, or at best one should say, self-revealing.

More puzzling still is why the Administration should wish to continue this case a day longer, when the damning evidence against it is so overwhelming.

A State Department official, in an attempt to cow a career man who was showing independence of judgment of an anti-communist nature, told him he probably would "become another Otepka." He went on: But what will you get out of it? What did he get out of it besides the publicity? He's nothing more than a fool. He's sitting up there in his little room doing nothing, wasting his life. If he had any sense, he would have made a deal with the Department a long time ago, when he was offered a War College assignment. He turned it down. He could be a consul general now. Instead, he's carrying on this petulant fight which is useless because he can't win it. No matter who else loses, Otepka will certainly lose.

If nothing else, his body will run down. He is just a biological being. His liver will give out, his heart will give out. But the State Department is an institution. It has no liver, no heart, no nerves. It can't be hurt, and only those can win who stay on its side no matter what it does. He will never make his way, even if he wins his case. He can't make his way.

I DON'T KNOW WHAT WE CAN DO...

With your case, if you insist, you'll be another Otepka. You'll be in the papers. But what good will it do you? You'll have to get some job, go up to the Hill, walk the corridors there and worry about whether you'll be hurt or not by some testimony we'll release about you. You don't know what we can do to give you a bloody nose. You don't know what we have in our files about you, do you? Meantime, while you're wasting your time, I'll be sitting here and Crockett will be sitting in his office." [Since then, in spite of Crockett's cocksureness, William Crockett, deputy assistant secretary of state for administration, is out of the State Department.]

We're getting paid for putting in 40 hours. You'll have to do it on your own time, without pay. Besides, will you get a good job to keep going? You can't expect to get any references from us if you go about hectoring us, can you? You can't even get another job without our help. You'll have to give us as your reference. You never worked any place else. Remember, I'll be the one writing your reference, but if you go out and say unpleasant things about us, I can't really say you're sober and you're very good or can I? But if you're reasonable and you reconcile yourself to the facts of life, we'll all say that you're sober and you worked hard. I really want to help you prosper, but I can't write a good reference only if you deserve it.

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"We're getting paid for putting in 40 hours. You'll have to do it on your own time, without pay. Besides, will you get a good job to keep going? You can't expect to get any references from us if you go about uncing us, can you? You can't even get another job without our help. You'll have to give us as your reference. You never worked any place else. Remember, I'll be the one writing your reference, but if you're going out and say unpleasant things about us, I can't really say you're sober and you're very good or can I? But if you're reasonable and you reconcile yourself to the facts of life, we'll all say that you did and you worked hard. I really want to help you prosper, but I can't write a good reference only if you deserve it.

Now, you've been a political officer and yet about such matters you're really naive. When I was

young, I was an idealist. I went to Japan and I thought we were going to make the world safe, and we were going to get rid of the war criminals. I found out very quickly the world isn't made that way. Money does count. Power counts---connections count. There are people who know this and who have the money to get their hands on the proper ownership and stock. They survive. The others don't. I've read the history of the Japanese families of the Middle Ages up to the present time, and there's an old saying that everyone must lean like the bamboo and bend with the storm. After the storm passes, it lifts its head. Bamboo can grow high and survive because it bends with the wind. If the storm winds come from the East, it bends in that direction. When it goes in the other direction, it bends that way. It isn't like a tree that stands upon the plain, opposes the wind, then crashes down. The unbending tree dies out while bamboo conquers the world. I've learned that lesson, and I saw it proved time and time again. I was just as foolish formerly to think the world is as its written down in such books as 'Profiles in Courage,' but now I know Kennedy didn't believe that book himself." [He wrote it.]

"MY IDEAL TODAY IS BOBBY BAKER"

"Quite frankly, my model and my ideal today is Bobby Baker. Look who's President and how he got there. That's how things are done. That's why Crockett has connections with the Hill, and does little favors. They're important. He's got the right connections, and he'll get the money to keep them up. If you are able to deal like that, you get ahead.

"I tell you, I feel sorry for you, but it is just a fact of life. You've lost it. You don't have a chance unless you bend like the bamboo, and be reasonable. Then you'll get a good recommendation from us for another job. But if you fight us, then you're going to get ulcers, heart attacks. In fact, if you fight us, it will take years and even if you win and are reinstated, you'll have to come back here into this office, ma, be even to me, and your next assignment will depend on me or Crockett or his successor, or my successor. You might get a good assignment perhaps the first time out, and then we will take proper care of you. You know these are the facts of life. I didn't make these rules. Why don't you play along with us and I'll help you get a good job? I know you deserve it. Let me help you.

"Look where Crockett is sitting. Otepka thinks he's a big hero fighting for the Constitution and upholding the rights and all the rest. But where does he go evenings? Look who's invited to the White House. Look who sits next to Johnson. Crockett! Certainly, not Otepka; certainly you won't be.

SHOULDN'T "FIGHT AN INSTITUTION"

"Otepka is an example of what might happen to you. What would be the use? We'll give you an assignment either here or give you a meaningless job like Otepka's. He's doing something with the Congressional Record. That's no job for the man. He shouldn't have tried to fight an institution. That's insanity!

"He could have taken the War College assignment and now he'd be in charge of a mission and getting promotions and enjoying himself, and moving up in the Department. That's what he should have done. That's what any sane man would do."

Similar-type overtures have been made to Otepka to make a deal. This constitutes a screening process. Perhaps it provides a better insight into why we are going backwards fast in our foreign relations than anything else could. Wheelers and dealers, who make sure never to cross City Hall do not stand up for their side or their country when the going gets rough. They're willing to let our young men go out and die in Viet Nam as a front for their own "bambooism." Of course, foreign agents need have no special difficulty infiltrating any such body of men. If the term, men, really applies! Surely not in the sense that one refers to the men sloshing through Mekong mud, or ripping their way through Viet Namese jungle. Perhaps what our country needs most of all if it is to make headway in its foreign relations is the replacement of the admirers of bamboo in the State Department, and their replacement by men brought up to admire tall and sturdy trees. The bamboo simile has validity, of course, but only up to a point. Trees are more enduring in every way than bamboo. If one wants an Asian simile, take a banyon rather than an oak.

The Otepka case is the most important in our lifetime. Our form of government and national security both are involved in it. If the newspaper or the radio-TV in one's community is not properly covering the story---and this means not just parroting the frequently falsified statements by the State Department---readers should put pressure on it to do so, and if one's polite, personal appeal won't accomplish this, it can be taken up through local organizations. Similarly, pressure must be put on the Congress, particularly the Republicans at this stage, a combination of needling and encouragement. Our legislators need both.

Remember, a stalling and a wearing down tactic is being employed. Let's show we have staying power

New Chapter, Same Story in Otepka Probe

Washington, Nov. 20 (AP)—Another repetitious chapter in the seemingly endless Otepka case went into the record tonight with publication of the ninth in a series of reports by the Senate Internal Security subcommittee.

More reports—perhaps a dozen or so—are expected before there is any conclusive showdown in the matter of Otto F. Otepka, a State Department security officer ordered dismissed two years ago but still on the payroll at an annual salary of \$20,005.

A Raise to Boot

Actually, Otepka's salary has gone up more than \$3,000 since he first got into serious difficulties with his department superiors about three years ago. This is due to a series of statutory pay increases to which Otepka is entitled automatically, pending final disposition of his appeal from dismissal on charges of conduct unbecoming a State Department officer.

While the lengthy record is being built around the case, the proceedings reflect also a general dissatisfaction on part of some subcommittee members with the whole security system of the department.

The new volume adds almost nothing to what has been learned from previous ones on the dispute between the department and Otepka, who has been charged with having supplied the subcommittee's counsel with classified documents and with questions to be asked of other department officials. He is accused also of being "responsible for the declassification" and "mutilation" of classified documents.

Admits Supplying Info

Otepka has acknowledged supplying information and questions to J. G. Sourwine, subcommittee counsel but has denied declassifying or mutilating any classified documents.

Otepka, his attorney, Roger Robb, told the committee, has been relegated to cramped quarters . . . deprived of effective clerical assistance . . . subjected to surveillance and other psychological harassment . . . given assignments which can only be described as make-work and de-

work Robb referred to was a special assignment of April, 1964, requesting that Otepka "conduct a comprehensive review of the Congressional Record and other publications emanating from the Congressional committees on various phases of the security-loyalty programs." On June 14, 1965, Deputy Undersecretary of State William J. Crockett told Otepka that "to date no tangible results have been submitted" in this special assignment.

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Otepka Feels He Violated No Regulations

By Endre Marton
Associated Press

Otto F. Otepka believes he, 23, 1963. The letter lists cases violated no rules by furnishing in which Otepka allegedly violated a 1948 Presidential directive by furnishing Sourwine the Senate Internal Security Subcommittee with documents concerning the loyalty of employees or prospective employees.

His reason as reported after a mid-1963 FBI interview: The Subcommittee consists of "men of unimpeachable trustworthiness whose authority to have access to classified information of the U.S. Government truly cannot be questioned."

Several months later, Otepka was suspended as the State Department's chief security evaluator for conduct unbecoming a Department officer. He appealed the suspension and remains on the payroll at \$19,600 annually pending hearings.

The statement to the FBI and other documents are contained in a volume of testimony made public by the Subcommittee yesterday.

Admits Furnishing Documents

Otepka admitted that he had furnished Subcommittee counsel J. G. Sourwine certain classified documents and also a series of questions he suggested Sourwine might ask other Department officials. It was his right to do so, Otepka maintained, because according to the law no civil servant can be denied the right "to furnish information to either house of Congress or to any committee or member thereof."

But Otepka firmly denied that he was "responsible for the declassification of classified documents" or "responsible for the mutilation of classified documents," as the State Department charged. Such acts constitute a Federal offense, punishable with a fine of not more than \$2000 or imprisonment for three years, or both.

The charges against Otepka were announced in a letter to him dated September 11, 1963, in which Otepka allegedly violated a 1948 Presidential directive by furnishing Sourwine with documents concerning the loyalty of employees or prospective employees.

The letter also listed the cases in which Otepka was allegedly responsible for the declassification or mutilation of documents, including a confidential paper addressed to McGeorge Bundy, White House foreign policy adviser.

Clippings Found in Bag

This charge was made after security officers inspected Otepka's "classified trash bag," also called a burn bag. The inspection, the State Department said, disclosed that the classification was clipped from a number of documents. The clippings were found in the bag, but not the documents themselves.

The burn bag, said the Department, also revealed that Otepka prepared questions for Sourwine to ask two Otepka superiors. The Department said this was a "breach of the standard of conduct expected of an officer of the Department of State."

"I did not clip the documents in question. I was not responsible for the clipping, directly or indirectly," Otepka declared. "I do not know who did it, or why, or who placed the clippings in my burn bag."

Otepka also said he supplied Sourwine with questions. This, he explained, was because he was "shocked and amazed" by testimony before the Subcommittee by John F. Reilly, then Deputy Assistant Secretary of State for Security, who, among other things, said Otepka was an "unbalanced" person.

Reilly resigned in the fall of 1963, after he first denied, then admitted ordering the "clipping" of Otepka's State Department telephone

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(Otto F. Otepka)

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Otto F. Stepka

UPI-44

(OTEPKA)

WASHINGTON--THE STATE INTERNAL SECURITY SUBCOMMITTEE TODAY RELEASED FULL TEXTS OF THE BASIC DOCUMENTS IN THE CASE OF OTTO OTEPKA, STATE DEPARTMENT SECURITY OFFICIAL WHO IS APPEALING HIS DISMISSAL TWO YEARS AGO BY SECRETARY RUSK.

THE DOCUMENTS INCLUDE:

--A STATE DEPARTMENT LETTER OF SEPT. 23, 1963, ADVISING OTEPKA OF ITS INTENTION TO FIRE HIM BECAUSE HE ALLEGEDLY SUPPLIED CLASSIFIED DOCUMENTS CONCERNING THE LOYALTY OF DEPARTMENT EMPLOYEES OR PROSPECTIVE EMPLOYEES TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE SUBCOMMITTEE. IN ADDITION, HE WAS CHARGED WITH UNAUTHORIZED DECLASSIFICATION OR MUTILATION OF CONFIDENTIAL DEPARTMENT DOCUMENTS.

--OTEPKA'S OCT. 14, 1963, REPLY IN WHICH HE ACKNOWLEDGED SUPPLYING INFORMATION TO SOURWINE, SOME OF IT CONFIDENTIAL, BUT CONTENDED THAT THE CHIEF COUNSEL OF A CONGRESSIONAL SUBCOMMITTEE AUTHORIZED TO INVESTIGATE DEPARTMENT PROCEDURES COULD NOT BE CONSIDERED AN "UNAUTHORIZED" PERSON. HE DENIED THE ALLEGATION OF DECLASSIFYING OR MUTILATING CLASSIFIED DOCUMENTS.

--A COPY OF AN AUG. 15, 1963, STATEMENT BY OTEPKA TO FBI AGENTS IN WHICH HE ALSO ACKNOWLEDGED SUPPLYING CLASSIFIED DATA TO SOURWINE BUT CONTENDED THE SUBCOMMITTEE COUNSEL WAS FULLY ENTITLED TO IT.

OTEPKA IS STILL ON THE STATE DEPARTMENT PAYROLL, PENDING THE OUTCOME OF HIS APPEAL AGAINST THE DEPARTMENT'S ACTION IN FIRING HIM. HE IS GETTING THE SAME SALARY OF \$19,000 PER YEAR HE RECEIVED AS CHIEF OF THE SECURITY OFFICE'S EVALUATION DIVISION, BUT HAS BEEN ASSIGNED TO OTHER DUTIES.

THE HEARING OF OTEPKA'S APPEAL HAS BEEN POSTPONED SIX TIMES AT HIS REQUEST TO AWAIT FULL PUBLICATION OF THE SENATE SUBCOMMITTEE'S TESTIMONY AND DOCUMENTS.

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WASHINGTON CAPITAL NEWS SERVICE

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(Otto F. Stepka)

Otepka Data Is Made Public; Violated No Rules, He Feels

By the Associated Press

Otto F. Otepka believes he violated no rules by furnishing classified documents to the Senate Internal Security subcommittee.

His reason as reported after a mid-1963 FBI interview: The subcommittee consists of "men of unimpeachable trustworthiness whose authority to have access to classified information of the U.S. government truly cannot be questioned."

Several months later, Otepka was suspended as the State Department's chief security evaluator for conduct unbecoming a department officer.

Suspension Appealed

He appealed the suspension and remains on the payroll at \$19,600 annually pending hearings.

The statement to the FBI and other documents are contained in a volume of testimony made public by the subcommittee today.

Otepka admitted that he had furnished subcommittee counsel J. G. Sourwine certain classified documents and also a series of questions he suggested Sourwine might ask other department officials.

It was his right to do so, Otepka maintained, because according to the law no civil servant can be denied the right "to furnish information to either house of Congress or to any committee or member thereof."

But Otepka firmly denied that he was "responsible for the declassification of classified documents" or "responsible for the mutilation of classified documents," as the State Department charged. Such acts constitute a federal offense, punishable by a fine of not more than \$2,000 or imprisonment for three years, or both.

Some of the documents in today's volume were made public in 1963 by Roger Robb, Otepka's attorney. But this is the first time that both the actual charges against Otepka and his statement to the FBI agents have been printed in full.

The charges were raised in a State Department letter to Otepka dated Sept. 23, 1963. The letter lists cases in which Otepka allegedly violated a 1948 presidential directive by furnishing Sourwine with documents concerning the loyalty of employees or prospective employees.

Inspected Burn Bag

The letter also listed the cases in which Otepka was allegedly responsible for the declassification or mutilation of documents, including a confidential paper addressed to McGeorge Bundy, White House foreign policy adviser.

This charge was made after security officers inspected Otepka's "classified trash bag," also called a burn bag. The inspection, the State Department said, disclosed that the classification was clipped from a number of documents. The clippings were found in the bag, but not the documents themselves.

"I did not clip the documents in question. I was not responsible for the clipping, directly or indirectly," Otepka said. "I do not know who did it, or why, or who placed the clippings in my burn bag."

He complained about the "flimsy nature of circumstantial evidence," and charged that the State Department is relying upon "the theory of guilt by association with my burn bag."

Admits Giving Papers

Admitting that he gave Sourwine classified papers, Otepka argued that the subcommittee counsel was authorized to receive such documents.

"I am at a loss to understand as to who is the 'unauthorized' person. I would find it incredible to believe that the chief counsel of the U.S. Senate Committee on the Judiciary is such a person," he declared.

Otepka also said he consulted Sourwine with questions. This,

he explained, was because he was "shocked and amazed" by testimony before he subcommittee by John F. Reilly, then deputy assistant secretary of state for security, who, among other things, said Otepka was an "unbalanced" person.

Reilly resigned in the fall of 1963.

After he first denied admitting ordering the "bugging" of Otepka's State Department telephone.

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Former Judge Expected To Hear Otepka Appeal

By the Associated Press

A man outside the State Department—retired Circuit Judge E. Barrett Prettyman—is expected to act as hearing officer in Otto F. Otepka's appeal of his dismissal, it was learned today.

Meanwhile, the hearing set for Oct. 11 has been postponed again, this time to an indefinite date.

The appointment of a legal expert outside the department would be a major concession to Otepka, who had contended he could not get a fair hearing within the State Department. Under normal procedure, any such appeal would come before a regular department hearing examiner.

Otepka was dismissed Nov. 5, 1963, as head of the State Department's security evaluation section, but he still is on the payroll at \$19,310 a year pending the outcome of his appeal.

Prettyman is the former senior judge of the Court of Appeals for the District of Columbia. As hearing officer, he would hear witnesses and arguments from both sides and make a report to Secretary of State Dean Rusk.

The hearing officer does not act as a judge. The final decision rests with Rusk, subject to a possible court appeal.

The Otepka case involves a dispute between some persons

within the State Department and others on the Senate Internal Security subcommittee.

At the time Otepka was dismissed, the State Department said he had furnished classified (secret) information to the subcommittee, had given the subcommittee staff a series of questions to be asked of his superiors and had been responsible for removing classification markings from some documents. The official charge was "conduct unbecoming an officer" of the department.

The subcommittee in turn has held lengthy hearings including testimony on Otepka's charges that his office telephone was tapped and waste paper from his office checked by others within the department.

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UPI-13

(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT SAID TODAY ITS HEARING IN THE CASE OF OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF ITS SECURITY OFFICE, NOW IS SCHEDULED TO BEGIN OCT. 11. THE ANNOUNCEMENT CAME AS TESTIMONY BY OTEPKA AND STATE DEPARTMENT OFFICIALS BEFORE THE SENATE INTERNAL SECURITY SUBCOMMITTEE WAS MADE PUBLIC.

OTEPKA WAS DISCHARGED BY SECRETARY RUSK IN NOVEMBER, 1963, ON CHARGES OF HAVING GIVEN CONFIDENTIAL INFORMATION TO THE STAFF OF THE SUBCOMMITTEE.

HE APPEALED TO THE DEPARTMENT FOR A HEARING AND HAS RETAINED HIS OFFICIAL TITLE AND SALARY PENDING THE OUTCOME OF THE HEARING.

THE STATE DEPARTMENT POINTED OUT THAT HIS INITIAL HEARING WAS SET FOR NOV. 16, 1964, BUT HAS BEEN POSTPONED FIVETIMES AT OTEPKA'S REQUEST.

THE DEPARTMENT SAID OTEPKA'S ATTORNEY, IN REQUESTING EACH POSTPONEMENT, HAS SAID THE TRANSCRIPT OF HIS TESTIMONY BEFORE THE SENATE INTERNAL SECURITY SUBCOMMITTEE "HAD NOT YET BEEN RELEASED AND THEREFORE COULD NOT BE USED IN MR. OTEPKA'S DEFENSE."

OFFICIALS SAID THE RELEASE OF THE TESTIMONY NOW SHOULD MAKE IT POSSIBLE TO MOVE AHEAD WITH THE HEARING.

THE SUBCOMMITTEE TESTIMONY RELEASED TODAY, COVERING HEARINGS IN 1963 AND 1964 REVEALED DETAILS OF MOVES TO REMOVE OTEPKA FROM HIS POST BEFORE HIS OFFICIAL DISCHARGE. THE ACCOUNT OF THE MANEUVERING READS LIKE A COMIC OPERA ATTEMPT TO MAKE HIM AN "UNPERSON."

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Both Sides Agree on Examiner

Otepka Case Reopens

The on again, off again State Department hearing on the celebrated security case of Otto F. Otepka is finally going to begin within a few days, officials said today.

At issue is a more than three-year-old order by Secretary of State Dean Rusk firing Mr. Otepka from his job as chief of the Division of Evaluations in the Department's Office of Security.

Wash. Post on charges

- Gave the Senate Internal Security Sub-committee confidential documents in violation of a presidential order.

- Mutilated documents by clipping off classified labels before giving them to the panel.

- Gave the senators a list of questions on security procedures to ask his State Department superiors.

The sub-committee was investigating allegations The

State Department was lax in security matters. After the dismissal order, it brought into its inquiry the possibility the firing was ordered in retaliation.

Mr. Otepka denied all the charges and appealed for a hearing by the department. This has kept him on the payroll at more than \$20,000 a year since November, 1963, altho he was relieved of his previous duties and given such jobs as indexing public documents containing the views of congressmen on security.

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Otepka Wins Fifth Delay Of Hearing

United Press International

The State Department said yesterday that Otto Otepka has been granted another postponement of the hearing on his appeal against dismissal as chief of evaluation of the Department's security office.

Otepka was fired last year by Secretary of State Dean Rusk for allegedly providing confidential information to unauthorized persons.

He appealed his dismissal and asked a departmental hearing. He remains in his \$19,310-a-year post until the case is decided.

This was the fifth postponement requested by Otepka. The original hearing was scheduled last November 16. By yesterday's action, it was reset for Sept. 15.

Otepka asked for the latest postponement because he had been advised by the Senate Internal Security Subcommittee that it would be at least August until the full transcript of testimony involving him would be made available.

Sen. Roman L. Hruska (R-Neb.) said yesterday that he hoped the Subcommittee will soon make the testimony public, the Associated Press reported. Hruska said there is more involved than just the Otepka case. The basic issue is the right of a Senate committee to get testimony from any Government employee affecting national security, he said.

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UPI-59

(OTEPKA)

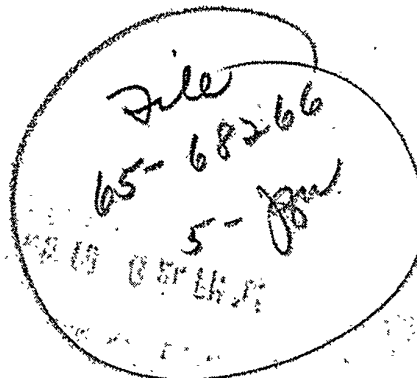
WASHINGTON--THE STATE DEPARTMENT SAID TODAY THAT OTTO OTEPKA HAS BEEN GRANTED ANOTHER POSTPONEMENT OF THE HEARING ON HIS APPEAL AGAINST DISMISSAL AS CHIEF OF EVALUATION OF THE DEPARTMENT'S SECURITY OFFICE. OTEPKA WAS FIRED LAST YEAR BY SECRETARY RUSK FOR ALLEGEDLY PROVIDING CONFIDENTIAL INFORMATION TO UNAUTHORIZED PERSONS.

HE APPEALED HIS DISMISSAL AND ASKED A DEPARTMENTAL HEARING. HE REMAINS IN HIS \$19,310-A-YEAR POST UNTIL THE CASE IS DECIDED.

THIS WAS THE FIFTH POSTPONEMENT REQUESTED BY OTEPKA. THE ORIGINAL HEARING WAS SCHEDULED LAST NOVEMBER 16. BY TODAY'S ACTION, IT WAS RESET FOR SEPT. 15. OTEPKA ASKED FOR THE LATEST POSTPONEMENT BECAUSE HE HAD BEEN ADVISED BY THE SENATE INTERNAL SECURITY SUBCOMMITTEE THAT IT WOULD BE AT LEAST AUGUST UNTIL THE FULL TRANSCRIPT OF TESTIMONY INVOLVING HIM WOULD BE MADE AVAILABLE.

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WASHINGTON CAPITAL NEWS SERVICE

Otepka Requests 4th Postponement Of Job Hearing

By The Associated Press

Otto F. Otepka, former security evaluator of the State Department, again has asked for postponement of a hearing on his dismissal, State Department officials reported yesterday.

This was the fourth such request by Otepka, and his attorney, Roger Robb, explained Otepka is still waiting for the transcript of testimony before the Senate Internal Security subcommittee in connection with his controversial case.

The hearing first was set for Nov. 16, 1964.

Officials said the State Department will agree to the postponement, but that no new hearing date was set.

Otepka was suspended Sept. 23, 1963, and charged with conduct "unbecoming an officer of the Department of State" for having allegedly given classified documents to the Senate subcommittee without authorization.

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LBJ to Accept Rusk's Handling Of Otepka Case

United Press International

President Johnson expressed complete confidence yesterday in Secretary of State Dean Rusk's handling of the dismissal of former State Department security officer Otto Otepka.

Asked at his news conference whether he could stop Otepka's dismissal, Mr. Johnson said he had discussed the case and had complete confidence in the way Rusk will handle it.

Otepka, who handled security clearance for the State Department, has appealed his dismissal.

[Handwritten signatures and initials, including "Boyle" and "Boyle"]

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New Hearing Set March 16 For Otepka

By the Associated Press

A hearing for Otto F. Otepka, former chief security evaluator of the State Department, was postponed for a third time at the request of Otepka's lawyer, the department reported yesterday.

The hearing, scheduled for Feb. 9, was put off until March 16 at the request of Roger Robb, Otepka's counsel.

State Department Press Officer Marshall Wright, in announcing this said he did not know why Robb asked for postponement.

The lawyer's office said, however, that Robb requested a delay "to obtain the transcripts of certain testimony before the Senate Internal Security subcommittee."

Otepka was suspended as chief security evaluator in September 1963 when he was charged with conduct "unbecoming an officer of the Department of State."

He was accused of having given classified documents to the Senate subcommittee without authorization. He was dismissed from the service Nov. 5, 1963.

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DEC 17 1964

UPI-125

(OTEPKA)

WASHINGTON--A HEARING ON CHARGES AGAINST STATE DEPARTMENT SECURITY OFFICER OTTO F. OTEPKA, SCHEDULED FOR TOMORROW, HAS BEEN POSTPONED UNTIL FEB. 9, OFFICIALS SAID TODAY.

A STATE DEPARTMENT SPOKESMAN SAID THE POSTPONEMENT WAS GRANTED AT THE REQUEST OF OTEPKA'S ATTORNEYS TO GIVE THEM MORE TIME TO PREPARE THEIR CASE.

OTEPKA WAS CHARGED BY THE STATE DEPARTMENT WITH GIVING THE SENATE INTERNAL SECURITY SUBCOMMITTEE INFORMATION FROM PERSONNEL SECURITY FILES DESPITE A PRESIDENTIAL DIRECTIVE MAKING THE INFORMATION SECRET.

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(ONLY FOR PAPERS PURCHASING LEWIS COLUMN. OTHERS MUST NOT USE.)
(CAUTION: ADVANCE LEWIS COLUMN FOR RELEASE 1 DAY, NOVEMBER 17,
A.M. AND P.M. PAPERS. MUST NOT BE PUBLISHED BEFORE THAT DATE.)

WASHINGTON REPORT

BY BILL SCHULZ

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(While Fulton Lewis Jr. is on vacation, his column will be written by his associate, Bill Schulz.)

WASHINGTON, November 16--A controversial State Department planner, ousted from his post only last year, has been quietly restored to government service.

He is John F. Reilly, former Deputy Assistant Secretary of State for Security who resigned under Senate fire in December, 1963. Records of the Federal Communications Commission disclose that he went back on the government payroll at \$17,030 a year on September 1.

Reilly was summoned for testimony by the Senate Internal Security Subcommittee several times during the summer of 1963. He had been implicated in a high-level drive to oust from the State Department the veteran security officer, Otto F. Otepka.

In sworn testimony, Reilly assured Senators that he had taken no part in a campaign to "get" Otepka. He specifically denied allegations that he had tapped Otepka's phone in an attempt to obtain incriminating evidence.

A Subcommittee member, Senator Tom Dodd, in a Senate speech last November, bluntly charged Reilly with deception. Senate probers, Dodd said, had learned conclusively that a listening device had in fact been installed on Otepka's phone.

Within 24 hours, Dodd received from Reilly a letter "clarifying" his earlier testimony. The State Department officer admitted that a "bug" had been placed on Otepka's phone, that his previous testimony had, in Dodd's phrase, been "untrue and misleading."

Reilly was stripped of all duties by Secretary of State Rusk and placed on "administrative leave."

Reilly was rehired by the Administration on September 1. His job with the Federal Communications Commission is that of a "trial attorney" who acts upon the license applications of potential radio and TV outlets. His \$17,030-a-year salary is approximately \$1,000 less than that received as a State Department officer.

Note: Although Reilly has been restored to government duty, no such compassion has been evidenced toward Otepka. The veteran security analyst was suspended by State Department superiors and his appeal for reinstatement is now pending.

Six other security specialists have been demoted for proclaiming Otepka's innocence and indicating a willingness to testify in his behalf. Rep. H. R. Gross, Iowa Republican, has accused the State Department of moving against the six because they have knowledge of a "plot to frame Otepka and have him fired."

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(MORE)

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BY BILL SCHULZ

xxfired."

A Cuban weightlifter who failed miserably in the Tokyo Olympics has offered Radio Havana listeners a novel alibi. Blame for his defeat, he explained, lies with "imperialist agents" who offered him bribes to defect to the U.S. and caused him considerable anxiety. The bribes, continued the Cuban muscleman, were in the form of lucrative contracts to model swimsuits.

* * *

President Johnson has begged California Governor Pat Brown to seek a third term in 1966. The Chief Executive is convinced that Brown's refusal to run for re-election would touch off an intra-party battle that might put the GOP in the governor's mansion at Sacramento.

At least a half-dozen Golden State Democrats are thought to have the governorship in mind. They include lame-duck Sen. Pierre Salinger, State Controller Alan Cranston, assembly speaker Jesse "Big Daddy" Unruh, Congressman Jimmy Roosevelt, Los Angeles Mayor Sam Yorty, and Lt. Gov. Glenn Anderson.

The President feels that intra-party knifing helped insure Salinger's defeat earlier this month. The pudgy former press secretary captured the Democratic nomination in a bitter duel with Cranston and the party split was never fully healed.

GOP nominee George Murphy took a sizable Democratic vote in winning a thumping victory over Salinger. A Democratic battle for the gubernatorial nomination in 1966 would enhance Republican chances for victory and could threaten Johnson's own re-election fortunes in 1968.

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UPI-90

(SECURITY)

WASHINGTON--REPUBLICAN NATIONAL CHAIRMAN LEAH BURCH TODAY ACCUSED DEMOCRATIC MEMBERS OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE OF SUPPRESSING TESTIMONY ABOUT STATE DEPARTMENT SECURITY PRACTICES.

HE CLAIMED IN A STATEMENT THAT RELEASE OF THE TESTIMONY PREVIOUSLY WAS APPROVED BY A UNANIMOUS VOTE BUT THE DEMOCRATIC MAJORITY RECONSIDERED AND DECIDED NOT TO RELEASE IT UNTIL AFTER THE ELECTION.

"THIS IS JUST ONE OF THE MANY FLAGRANT EXAMPLES OF THE ALL-OUT CAMPAIGN OF THE DEMOCRATS TO KEEP THE LID ON AND HIDE THE FACTS FROM THE AMERICAN PEOPLE," BURCH SAID.

HE CLAIMED IT WAS "COMMON KNOWLEDGE THAT THE TESTIMONY REVEALED SERIOUS LAXITY IN STATE DEPARTMENT SECURITY PRACTICES AND PARTICULARLY IN THOSE CASES INVOLVING MORALITY."

BURCH SAID THE DECISION TO "SUPPRESS THIS TESTIMONY" WAS MADE BY SUBCOMMITTEE VICE-CHAIRMAN SEN. THOMAS DODD, D-CONN.

HE SAID THE TESTIMONY INCLUDED INTERROGATION OF STATE DEPARTMENT OFFICIALS ABOUT THE FIRING OF DEPARTMENT SECURITY OFFICIAL OTTO CTEPKA.

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WASHINGTON CAPITAL NEWS SERVICE

Party Task Carries Risk, Otepka Told

The State Department has advised Otto F. Otepka, one of its former top security officers who now holds down a desk without duties, that if he appears before the Republican Platform Committee in San Francisco he will do so at his own risk.

Secretary of State Dean Rusk last fall dismissed Otepka from his position as chief of the evaluations division of the security office on the ground that he disclosed confidential information to unauthorized persons.

In a July 2 letter to the Deputy Under Secretary of State for Administration, William J. Crockett, Otepka asked permission to accept a GOP invitation to appear at San Francisco.

Crockett asked the Civil Service Commission for a ruling. The Commission replied that the Hatch Act "specifically prohibits an employee from actively engaging in partisan political management or in partisan political campaigns."

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Otepka Gets Warning on Seeing G.O.P.

By the Associated Press

Otto R. Otepka, former State Department security evaluator, has been advised that if he appears before the Republican Platform Committee he risks violating the Hatch Act.

The Civil Service Commission yesterday told the controversial State Department Official also that if he accepts an invitation to appear on a radio program with a Republican Senator he does so only "at his own risk" of violating the act.

Mr. Otepka was dismissed from the service November 5, 1963, when charges of conduct "unbecoming an officer" were upheld against him. Charges were filed against him after he gave a Senate investigation classified State Department documents on security procedures.

He informed the State Department July 2 that he was expecting an invitation from the Republican National Committee to appear as a witness at the National Convention.

The State Department was asking for an opinion from the Civil Service Commission.

While the State Department was waiting for the commission's reply, Mr. Otepka told his superiors that he had been invited by Senator Simpson, Republican of Wyoming, to appear with him on the Senator's weekly radio program.

The commission's reply yesterday, said the Hatch Act "specifically prohibits an employee from actively engaging in partisan political management and in partisan political campaigns."

The commission wrote that Mr. Otepka, being in the civil service, is "subject to commission jurisdiction concerning possible violation of the Hatch Act."

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Otepka Asks to Testify Before G. O. P. Group

Otto Otepka, the State Department's controversial security officer, has asked permission to testify before the Republican Platform Committee in San Francisco next week.

In a letter yesterday to William J. Crockett, deputy

Undersecretary of State for administration, Mr. Otepka said a representative of the Republican National Committee had asked him if he would be willing to testify. He said he would like permission.

His letter did not state the reason for the Republican request, but it is believed to deal with the State Department's efforts to fire Mr. Otepka from his job as chief of the evaluations division of the Security Office.

Mr. Otepka also said he would be willing to testify before the Democratic Platform Committee if so requested. Because of Hatch Act prohibitions against career Government employees taking part in political activity, Mr. Crockett told Mr. Otepka he has asked the Civil Service Commission to make a ruling on Mr. Otepka's request. A decision is expected early next week.

Last fall, the department notified Mr. Otepka that it was beginning dismissal proceedings against him based on 13 charges. Mr. Otepka has defended his actions and his case is now in the appeal stage.

He continues to receive his \$18,000-a-year salary, pending outcome of the case.

His case has drawn political attention because of charges from some Senators that Mr. Otepka was being fired because of testimony he gave the Senate Internal Security subcommittee on alleged laxity and mismanagement in the department's security program.

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THE WASHINGTON DAILY NEWS

SECURITY EXPERT WAITS QUIETLY FOR HEARING ON OUSTER

It's a Dull, Lonely Life for Otto Otepka

By RICHARD H. BOYCE
 Scripps-Howard Staff Writer

Every workday morning Otto F. Otepka, a \$16,900-a-year Government employe, goes to the State Department, and every afternoon he goes home. During the eight hours in between, Mr. Otepka does nothing but read the Congressional Record.

Mr. Otepka is chief of the State Department Security Evaluation Division. But he is not permitted to do the work he is paid for.

He gets no important department mail. In an entire year, he has had only two department phone calls. Fellow workers snub him. He's not invited to office luncheons or department social affairs.

LONELY LIFE

It's a lonely life for Mr. Otepka, 49, and ruggedly handsome. He thinks his office is bugged. He doesn't trust his desk telephone. He won't let his private briefcase out of his sight, even takes it to the washroom with him.

He reads the Congressional Record because his superiors told him to—after they filed charges against him that can cost him his job. Reading the Record is supposed to keep Mr. Otepka busy until a hearing is held on his ouster. He has been doing "mostly nothing" for a year now—a hearing date still hasn't been set.

Mr. Otepka has been in Government service 38 years, moving up all the time—until last year. His troubles started after he testified in November, 1961

and March, 1962, before the Senate Internal Security subcommittee. As a longtime security expert, Mr. Otepka told the senators that some new State Department appointees were being given rush-job security clearances.

CASTRO

The committee at the time was investigating Fidel Castro's rise to power and his links with communism. Mr. Otepka had something critical to say about that, too, in connection with high state officials and State Department security practices.

Early in 1963, Mr. Otepka was called back to the committee. Some of his earlier testimony differed from statements made by other department officials. To prove he was right, Mr. Otepka gave committee counsel Jay Sourwine three confidential documents.

This was all right, Mr. Otepka said, because Mr. Sourwine had security clearance. Besides, Mr. Otepka insists, the documents didn't endanger national security.

But the department said Mr. Otepka violated a 1948 order by President Truman forbidding unauthorized disclosure of executive department files. Mr. Otepka concedes this, but points to a 1948 law which says "the right of any member of the classified civil service to furnish information to any member of Congress shall not be denied."

RESOLUTION

Mr. Otepka also leans on a 1953 joint congressional resolution saying "any person in Gov-

ernment service should put loyalty to country above loyalty ... to any Government department."

Nevertheless, the State Department said Mr. Otepka's acts were insubordination, and on June 27, 1963, charged him with conduct unbecoming an officer.

Seven members of his staff have been re-assigned to other work, and Mr. Otepka charged this was because they openly declared they would testify for him.

Raymond Loughton, Francis Gardner, Edwin Burkhardt, John R. Norpel Jr., Harry Hite,

and Howard J. Shea—all experienced in security work—were transferred to the department's Latin American affairs section "to review highly sensitive security cases."

They have privately told friends they are doing no worthwhile work. Four of them—Messrs Norpel, Hite, Shea, and Burkhardt—filed an appeal under the Veterans Preference Act charging they suffered undue reduction in rank.

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46 JUN 17 1964

56 JUN 18 1964

State Dept. Phone Tap: Double Lie?

By Dom Bonafede
Of The Herald Tribune Staff

WASHINGTON.

For the second time, the sworn testimony of John F. Reilly, a former State Department officer involved in the controversial Otepka case, was contradicted in testimony revealed yesterday by the Senate Security subcommittee hearing.

The subcommittee is looking into the removal from office of Otto F. Otepka, chief of the Security Evaluations Section. He was charged by superiors with supplying classified information to the subcommittee's chief counsel, J. G. Sourwine, ostensibly for use against some of his State Department colleagues.

On Aug. 6, Mr. Reilly, then Deputy Assistant Secretary of State for Security, told the subcommittee that during his intradepartmental investigation of Mr. Otepka, he had never "engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department."

Then, on Nov. 6, he asked the subcommittee for an opportunity to "amplify" his remarks. He said, in an attached statement, that he had directed Elmer D. Hill, chief of the Division of Technical Services, "to undertake a survey of the feasibility of intercepting conversation in Mr. Otepka office."

Mr. Hill and his deputy, Clarence J. Schneider, acting on Mr. Reilly's orders, attempted to convert Mr. Otepka's telephone into a microphone for monitoring purposes, he revealed.

But, according to Mr. Reilly's statement, "no conversations were intercepted as a result of the events described above."



Otto F. Otepka

Under questioning by Mr. Sourwine in a Nov. 15 hearing, he was asked:

"Now you can state, from your own knowledge, that nobody ever heard any words over that listening device that you caused to be installed in Mr. Otepka's telephone?"

Mr. Reilly replied, "to my knowledge, no one did."

Throughout the hearing Mr. Reilly denied that Mr. Otepka's telephone had been compromised, a technical term meaning that conversations had been intercepted and divulged.

In the report released yesterday, on testimony given Nov. 15, Mr. Hill told the subcommittee that "a dozen, perhaps more," telephone conversations were recorded and the tape turned over on Mr. Reilly's instructions to "some stranger." The disposition of the tapes and the identity of the "stranger" remain a mystery.

Mr. Hill said he did not know whether Mr. Reilly had listened to the conversations, "but there was one telephone conversation which did seem interesting to him."

He said the call, from what Mr. Reilly later told him, pertained to a luncheon appointment by Mr. Otepka and someone on the subcommittee staff.

He said he was not completely candid during earlier testimony because he felt "an obligation to the department."

Both Mr. Reilly and Mr. Hill resigned after modifying statements made by them during the hearings.

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ment has the legal right to tap employees' telephone is unclear. No precedent has been set by a test case.

A subcommittee spokesman said it is operating on the assumption that the department has that right in the pursuit of security investigations. "Also, we feel they can do it since the telephones are not the public property of the employees," the spokesman said.

In security investigations outside the U. S., the department has been known to install taps on private telephones of employees.

An official said yesterday the department presently has no regulations prohibiting the practice.

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Otepka Still on Payroll Despite Firing by State

By the Associated Press

Almost four months ago, the State Department fired Otto F. Otepka, its former chief security evaluator, for insubordination.

Yet Mr. Otepka is still drawing his salary—and will likely remain on the Government payroll for some time.

Though officials at the State Department maintain that the Otepka case is "being pursued in the normal administrative process," they acknowledge that the Johnson administration is reluctant to speed up this process to avoid stepping on sensitive toes in the Senate Internal Security Subcommittee.

Mr. Otepka was suspended September 23, 1963, and charged with conduct "unbecoming an officer of the Department of State" by having allegedly given classified documents to the Senate subcommittee without authorization.

He was dismissed from his \$18,240-a-year post November 5, when the department upheld the charges against him.

The former security officer appealed the dismissal and the State Department, in accordance with Civil Service regulations, gave him a list of six men early in January from which to choose a hearing officer for his case.

Four of the six were foreign service officers and two work for the Agency for International Development. All are equal in rank with Mr. Otepka.

Mr. Otepka objected to the panel, saying he could not expect an impartial hearing from any of the men on the list.

The department rejected his objections, reminding him that he always could appeal outside the department, directly to the Civil Service Commission or to the courts.

Should Mr. Otepka do so, however, he would cease to get his pay. So he answered and repeated his objections against the six men. Mr. Otepka added, however, that should the department insist, he would name Edward A. Dragon of the AID office of emergency planning.

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FEB 25 1964

Wiretap Expert Shifts Story Again on Otepka

By EARL H. VOSS
Star Staff Writer

Elmer Dewey Hill, the former State Department wiretap expert who resigned after presenting conflicting testimony about his part in the Otepka case, has given the Senate Internal Security Subcommittee a primer course in clandestine listening at the State Department.

Mr. Hill at first denied any knowledge or involvement in tapping the telephone of Otto Otepka, former chief security risk evaluator for the State Department. Then he wrote, a letter to the committee explaining that he had tried to convert the Otepka phone into a listening device but said the attempt failed.

Still later, it was disclosed today, he told the subcommittee that a dozen of Mr. Otepka's telephone conversations were intercepted and recorded over a two-day period, that two tapes containing the 12 calls had been passed to persons unknown.

Mr. Otepka, was fired November 5 for passing privileged information on security cases to the Internal Security Subcommittee. The department's security office obtained part of the evidence for 13 charges against Mr. Otepka by secretly examining the contents of his classified trash bag. Wiretapping was also attempted to get other evidence against him. Mr. Otepka is appealing the dismissal decision.

Other Investigations

Mr. Hill also disclosed in testimony given last November 18, that State Department used listening devices to investigate employees overseas. One was installed in the residence of Irvin Scarbeck, who later was convicted of passing classified information to a Polish girl in Warsaw.

He knew of a half dozen techniques for compromising a telephone, Mr. Hill told the subcommittee. In the Otepka case, he said, the State Department security office was trying to make a telephone pick up and transmit all conversations in Mr. Otepka's office, even when the phone was on its cradle.

Under questioning by J. G. Sourwine, the subcommittee counsel, Mr. Hill acknowledged one could tap a phone by putting a microphone in it, by moving a wire in the earphone to send a current out to a remote place where it would activate a microphone, or by sending a high frequency current into the telephone, "without gimmicking anything in the telephone itself."

Phone Work Explained

Mr. Hill said he had moved a wire in the earphone of the Otepka phone to make it into a "self-generating" microphone.

He said that "over a brief period recordings were made of telephone calls on Mr. Otepka's telephone."

Mr. Hill testified that "a dozen, perhaps more" conversations were recorded and that the tape was turned over, on instructions from his superior, John H. Reilly, to someone he was unable to identify. Mr. Reilly also has resigned.

Mr. Hill acknowledged, under questioning, that concealed microphones are sometimes used to record interviews of persons "who have been suspected of some actions which would, perhaps, be prejudicial to their continuing with the department."

Before joining the State Department, Mr. Hill told the

subcommittee, he had been an electronics expert working on countermeasures against enemy "electronic attack" on American missiles and bombers. He also had worked on protection against "clandestine listening," presumably by foreign powers seeking American secrets.

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REC-41

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Some Cramer Counts Are Denied at State

By the Associated Press

The State Department has accused Representative Cramer, Republican of Florida, of circulating a memorandum full of "distortions, inaccuracies and misleading references" about the department's Security Office.

Among other things the department yesterday denied Mr. Cramer's charges that Secretary Rusk had interfered with normal procedure in the dismissal of Otto F. Otepka, a State Department security officer, or that the department was investigating employees of the Senate Internal Security Subcommittee.

Mr. Cramer introduced into the Congressional Record on Thursday a "confidential memorandum" which he said had come to him from a source that he did not name.

The memorandum said at one point that Deputy Undersecretary William Crockett had told a meeting of State Department security officials on November 19 that Mr. Rusk had declared "we will sweep the place clear" of people not loyal to Mr. Rusk.

Cramer Singled Out Rusk

Mr. Cramer said the memorandum showed that Mr. Rusk actually was the man behind the dismissal of Mr. Otepka, who was ousted on charges of having given information to the Senate committee without authority.

Therefore, Mr. Cramer said, Mr. Rusk "is not in a quasi-judicial position" to review the Otepka case.

The memo, which Mr. Cramer identified as coming from an unimpeachable source, made a number of points about activities in the State Department security section. Today the State Department press office said:

"The memorandum that was the basis for the Congressmen's remarks contains distortions, inaccuracies, and misleading references."

This incident, moreover, underlines the problem presented when misleading and distorted information is passed on to the public possibly.

"Any suggestion that the Secretary has interfered in the normal administrative procedures in the case is absolutely false."

Press Officer Ben Thirkield said the case referred to was the department's proceeding against Mr. Otepka.

November Meeting Held

Mr. Thirkield said Mr. Crockett did have a meeting with division chiefs of the security office in mid-November.

"He called them together," Mr. Thirkield said, "for the purpose of expressing to them the Secretary's confidence in the department's security forces."

In reference to the charge that Mr. Rusk intended to purge the disloyal people and had so been quoted by Mr. Crockett, Mr. Thirkield said: "Mr. Crockett made no references to 'sweeping the place clean'."

The Otepka case came up in the meeting only to the extent that Mr. Crockett said it was being pursued in a normal manner, he said.

"The Office of Security is not investigating the employees of the Senate Internal Security Subcommittee."

"The department is not investigating psychological testing 'leaks.'"

"At no time did Mr. Crockett say there is a second underground 'that is, a channel of

anti-State Department information to the Capitol in the Office of Security."

Mr. Thirkield said he could not go beyond the comments he was authorized to make in discussing the complicated case.

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Intrigue In Otepka Ouster

By Dom Bonafede
Of The Herald Tribune Staff

WASHINGTON.

Testimony released for today by the Senate Internal Security subcommittee in the Otepka cause celebre portrays a Kafka-like, shadowy web of intrigue within the confines of the State Department.

The testimony, which centered around that of John F. Reilly, former Deputy Assistant Secretary of State for Security, and his deputy, David I. Belisle, on Nov. 14 and 15.

Under intensive questioning by members of the subcommittee and its chief counsel, J. C. Sourwine, Mr. Reilly conceded that Otto F. Otepka, dismissed chief security evaluations officer, had not committed any departmental offense.

Evidence gathered by Mr. Reilly and Mr. Belisle during an internecine investigation led to Mr. Otepka's removal from office Nov. 5 on charges he circumvented normal department procedure to privately furnish information to Mr. Sourwine.

Together with Elmer D. Hill, ex-chief of the Division of Technical Services, they built a case against Mr. Otepka by collecting discarded papers from his "burn bag," his typewriter ribbons and carbon papers. The data purportedly contained material Mr. Sourwine might employ in the interrogation of State Department officers.

Under Mr. Reilly's direction an attempt was made to convert Mr. Otepka's telephone into a microphone, a listening device in which anything said in the room may be monitored on the outside. This, Mr. Reilly said, is simply accomplished by "repositioning of an existing wire within the telephone instrument."

He said, however, that the scheme "fizzled" and was discontinued after 48 hours.

Mr. Reilly defended his position by maintaining that the measure was taken to test its "feasibility" and that no decision had been made as to whether it would be put into operation.

He conceded investigators tried to monitor the telephone but heard only a humming noise. When sufficient evidence was gathered through other sources, he said, it was decided to abandon the listening device plan.

"And that evening I stood outside Mr. Otepka's office, so that Mr. Hill could go in and disconnect the wire," he told the subcommittee.

In earlier hearings, the three men denied having any information about the tapping of Mr. Otepka's telephone.

They were called after a letter of the three officials sent to the subcommittee requesting they be given an opportunity to "amplify" their earlier remarks. The letters were written on orders of Secretary of State Dean Rusk. It was disclosed in testimony.

Subsequently, Mr. Reilly and Mr. Hill resigned their posts.

During the hearing Mr. Sourwine remarked: "I am trying to find out if you may have knowledge of any law or departmental regulation which say that the furnishing of questions or the suggestion of questions to a Congressional committee to be asked of another officer of the department is any offense of any kind."

Mr. Reilly—"I think if that person is your superior, yes."

Mr. Sourwine—"I don't care what you think. I want to know if there is a law or regulation, to your knowledge."

Mr. Reilly—"I don't know that there is, Mr. Sourwine."

Mr. Sourwine—"All right. I know there isn't any. I just wanted to know that you knew there wasn't a."

Controversy over the Otepka case, which is reminiscent of the McCarthy era in a degree, runs along several levels and raises many questions: How tightly drawn is the line between the Executive branch and the legislative branch? Are a government employee's rights violated when his phone is tapped during security investigations? Is a government employee's job in jeopardy when he refuses to abide by a department code of ethics in a case involving principle?

Mr. Otepka has claimed he co-operated with Mr. Sourwine because he recognized the subcommittee as a "higher loyalty" than his immediate superiors.

He told the subcommittee that it might have been misled by his earlier testimony because he considered the questions "in the nature of cross-examination. I answered the questions as I understood them. I did not volunteer anything beyond that."

Later, he commented, "I didn't co-operate as fully as I might have, and as I say, I regret it."

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Reilly Admits He Did Not Cooperate Fully With Committee in Otepka Quiz

Associated Press *A-2*
John F. Reilly, who recently resigned as Deputy Assistant Secretary of State for Security, has denied lying but testified he did not cooperate fully at a Senate Internal Security Subcommittee hearing.

The Subcommittee made the transcript of a Nov. 15 closed hearing public yesterday, in another sequel to the controversy over the dismissal of Otto F. Otepka, a State Department security officer.

Reilly was called before the Subcommittee after admitting in a statement on Nov. 6 that he had ordered a listening device installed on Otepka's telephone last March. He had denied it in sworn testimony to the Subcommittee on Aug. 6.

Although insisting he hadn't lied to the Subcommittee at the Aug. 6 hearing, Reilly acknowledged under questioning by Sens. John L. McClellan (D-Ark.) and Thomas J. Dodd (D-Conn.) that he had not answered questions fully as he understood the question. "I didn't cooperate as fully as I might have, and as I say,"

Reilly said, "I apologize, I regret it."

"You are giving highly technical explanations of why you didn't tell the committee the truth," McClellan told him.

The key question at the Aug. 6 hearing was: "Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones of private conversations in the office of an employee of the State Department?" Reilly's answer was, "no, sir."

Reilly's explanation at the Nov. 15 hearing was that although he had a listening device attached to Otepka's telephone, it hadn't worked and had been removed without any conversations being intercepted.

Asked if a telephone is not compromised when a device or connection is used by which conversations may be intercepted by an unauthorized person, Reilly replied:

"Not in my mind, and not as I understood the question."

McClellan accused him of

not having testified truthfully, of being evasive and uncooperative and of falling back on technical excuses and alibis. Dodd, who presided, also was caustic in his comments.

The State Department placed Reilly on administrative leave shortly before the Nov. 15 hearing. He resigned last month. Otepka, who was the Department's chief security risk evaluator, has appealed his dismissal. He was ousted on a charge of supplying the Subcommittee's chief counsel, J. G. Sourwine, with confidential information from employee security files.

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Witness Changes Story On Otepka Phone Tap

By EARL H. VOSS
Star Staff Writer

One of the men who admitted trying to tap Otto F. Otepka's phone at the State Department has changed his story a second time.

Now he has told the Senate Internal Security Subcommittee the tap worked, that conversations were recorded and that tapes of the conversations were passed on to superiors.

This was the latest turn in the case of Mr. Otepka, former State Department security-risk evaluator who was fired November 5 for passing information on possible security risk cases to the Senate subcommittee.

Last summer three men in the Office of Security denied to the subcommittee under oath knowledge of any phone tapping in the State Department, Mr. Otepka's or anybody else's.

Then Denied Success

Two weeks ago, however, they admitted trying to tap Mr. Otepka's phone but claimed they were unsuccessful because of a loud buzzing which jammed the conversations.

Last Monday one of the three men, Elmer D. Hill, who had just resigned as chief of technical services in the Office of Security, told the subcommittee the tap really worked.

John F. Reilly, Deputy Assistant Secretary of State for Security, who also resigned Monday, received the tapes, Mr. Hill testified, and sent them to unnamed superiors.

The third man who first denied knowledge of the phone tapping but later admitted he was told of it is David I. Belisle, special assistant to Mr. Reilly. He has not resigned and is

now Acting Deputy Assistant Secretary.

J. G. Sourwine, chief counsel of the subcommittee, is believed to have been one of the participants in Mr. Otepka's intercepted telephone conversations.

'Sordid,' Dodd Says

Democratic Senator Dodd of Connecticut, vice chairman of the subcommittee, yesterday promised to present the facts to the public in a few days "in this sordid situation."

The Associated Press reported he charged that a top State Department official committed perjury on top of perjury, but did not name the offender.

The subcommittee yesterday probed another aspect of State Department security procedures by taking secret testimony from Abba P. Schwartz, administrator of the State Department's Bureau of Security and Consular Affairs.

Mr. Schwartz reportedly was quizzed about his bureau's policies in granting passports to American Communists.

At the same time it was disclosed that the State Department order preventing employees of the bureau from discussing their work outside the office had been lifted.

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Otepka Fired by State; Senate Probers Protest



Associated Press
OTTO F. OTEPKA
 fired by State Dept.

By Vincent J. Burke
 The Los Angeles Times

Otto F. Otepka, 48, one of the State Department's top security officers, was fired yesterday for giving confidential Department information to the Senate subcommittee on internal security.

The decision, presumably made with White House approval, was promptly denounced by Sen. Thomas J. Dodd (D-Conn.), a member of the subcommittee. Dodd said he would ask Sen. James Eastland (D-Miss.) to call an "emergency meeting" of the Senate's Judiciary Committee "to consider the implications." Eastland is chairman of both the subcommittee and its parent, the Judiciary Committee.

Under regular procedures Otepka will continue to collect his \$16,900 a year

salary until the Department disposes of his expected appeal. Otepka could carry the fight for his job to the Civil Service Commission, for which he once worked, and, ultimately, to the courts.

"We'll take every available appeal," Otepka's lawyer, Roger Robb, told a reporter.

Since the first year of the Eisenhower Administration, Otepka has served as chief of the division which evaluates State Department personnel to insure that none are security risks.

The Eastland subcommittee has been critical of the Department's security procedures.

Otepka was charged by the State Department on Sept. 23 with "declassifying" confidential documents and with preparing questions for J. G. Sourwine, the subcommittee's chief counsel, to ask State Department witnesses in a security case before the subcommittee.

In a 12-page reply, Otepka acknowledged that he had supplied the subcommittee with confidential Department information. But he insisted that he had not violated the "spirit" of security regulations.

Otepka's reply added that he prepared a memorandum for Sourwine, including "exhibits" from Department files, after his Department superior, John F. Reilly, gave testimony to the subcommittee which "I knew to be incorrect."

Moreover, he said, he met with Sourwine after working hours to discuss alleged "con-

flating to the subcommittee's inquiry into the security evaluation of William A. Wieland, another Department employee.

Wieland was accused by the subcommittee last year of lacking "integrity and general suitability" for his role in the intelligence assessment of Cuba's Premier Fidel Castro. Wieland, who is still on the Department payroll, was defended by President Kennedy.

Two weeks ago Secretary of State Dean Rusk was questioned by Eastland's subcommittee at a closed door hearing about the reasons for the Department's actions against Otepka. Eastland said after the hearing that "the powers of Congress are at stake" and that he intended "to protect Otepka by every means at my command."

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Witness Changes Story On Otepka Phone Tap

By EARL H. VOSS
Star Staff Writer

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Now he has told the Senate Internal Security Subcommittee the tap worked, that conversations were recorded and that tapes of the conversations were passed on to superiors.

This was the latest turn in the case of Mr. Otepka, former State Department security-risk evaluator who was fired November 5 for passing information on possible security risk cases to the Senate subcommittee.

Last summer three men in the Office of Security denied to the subcommittee under oath knowledge of any phone tapping in the State Department, Mr. Otepka's or anybody else's.

Two weeks ago, however, they admitted trying to tap Mr. Otepka's phone but claimed they were unsuccessful because of a loud buzzing which jammed the conversations.

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John F. Reilly, Deputy Assistant Secretary of State for Security, who also resigned Monday, received the tapes, Mr. Hill testified, and sent them to unnamed superiors.

The third man who first denied knowledge of the phone tapping but later admitted he was told of it is David I. Belisle, special assistant to Mr. Reilly. He has not resigned and is now Acting Deputy Assistant Secretary.

Democratic Senator Dodd of Connecticut, vice chairman of the subcommittee, yesterday promised to present the facts to the public in a few days "in this sordid situation."

J. G. Sourwine, chief counsel of the subcommittee, is believed to have been one of the participants in Mr. Otepka's intercepted telephone conversations.

The Senator said: "As a consequence of recent developments, I am confident that the subcommittee will relentlessly pursue the investigation on which it has now embarked.

"No one, regardless of how high or how low his job, will be exempt or excused in the course of this investigation."

Senator Dodd said it had been his subcommittee's expectation that the three offi-

cials called back to testify recently "would use this opportunity to tell the truth, the whole truth, and nothing but the truth, as they had originally sworn to do."

Instead, he charged, "we were treated to perhaps the most dismal performance any of us had ever witnessed of evasion, double-talk and misrepresentation by high Government officials."

When top officials "come before a Senate committee a second time in an effort to purge themselves of the crime of perjury and then commit further perjury, the situation is intolerable," he said.

The subcommittee yesterday probed another aspect of State Department security procedures by taking secret testimony from Abba P. Schwartz, administrator of the State Department's Bureau of Security and Consular Affairs.

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Otepka Asks State Review On Dismissal

Associated Press

Otto F. Otepka, former chief security evaluator of the State Department, filed an appeal yesterday against the Department's decision of Nov. 5 dismissing him from the service.

He is accused of furnishing the Senate Internal Security subcommittee with information from confidential employee loyalty files. The material is alleged to have been provided to J. G. Sourwine, subcommittee chief counsel.

The appeal was filed as David L. Belisle, special assistant to John F. Reilly, Deputy Assistant Secretary of State for Security, reportedly insisted at a two-hour, closed meeting of the subcommittee that he did not intend to mislead them by denying last July that he had any knowledge of a listening device being placed in Otepka's office.

Belisle was the first of three State Department officials called by the subcommittee after they acknowledged last week that an eavesdropping device had been installed in Otepka's office, although they said it never was used.

Reilly waited in an adjoining room while Belisle testified and reportedly was told after yesterday's hearing ended to come back Friday. The third official involved is Elmer D. Hill, chief of the division of technical services in Reilly's office.

In his appeal addressed to Dwight Porter, Assistant Secretary for administration, Otepka charged that the case against him was to a large extent built by John F. Reilly.

"It has now been established," Otepka continued, "that in his overzealous attempts to build a case against me Reilly was guilty of serious misconduct, and that he thereafter testified untruthfully under oath when questioned about his improper activities."

Otepka's appeal also mentioned Belisle. It said:

"In view of the circumstances I respectfully submit that Reilly and Belisle are unworthy of belief and that any finding against me based upon their testimony or upon evidence produced by them cannot and should not stand."

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Otepka Requests Hearing, Asks Lie Test for Accusers

By EARL H. VOSS
 Star Staff Writer

Otto F. Otepka, chief security risk-evaluator in the State Department until he was fired November 5, today appealed for a hearing and demanded that his principal accusers in the department submit to lie detector tests.

His boss, Deputy Assistant Secretary of State John F. Reilly, and two other associates in the Office of Security have been accused by Senators of giving misleading testimony about tapping Mr. Otepka's phone.

Mr. Reilly, David I. Belisle and Elmer D. Hill revised their testimony before the Senate Internal Security Subcommittee last Wednesday after having

denied last summer any connection with the tapping of Mr. Otepka's phone.

In his letter notifying the State Department of his desire for a hearing, Mr. Otepka charged that Mr. Reilly, was guilty of "a breach of departmental regulations and a violation of a Federal statute."

Mr. Reilly admitted to the subcommittee last week that he had directed a subordinate to tap Mr. Otepka's telephone but said no conversations were intercepted.

Mr. Otepka said "the case against me was to a large extent built by John F. Reilly, either personally or through others under his immediate direction and control. . . It has now been established that in

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his overzealous attempts to build a case against me, Reilly was guilty of serious misconduct, and that he thereafter testified untruthfully under oath when questioned about his improper activities."

"Unworthy of Belief"

Mr. Reilly and Mr. Hill have been placed on administrative leave with pay while the State Department considers what to do about their reversal of testimony before the subcommittee.

"In view of the circumstances," Mr. Otepka said in his letter of appeal, "I respectfully submit that Reilly and Belisle are unworthy of belief and that any findings against me based upon their testimony or upon evidence produced by them cannot and should not stand.

"I submit further that this entire proceeding is tainted and vitiated by the improper activities and the untruthfulness of these men, so that prosecution of any charges in which they are involved would deny me due process of law."

Mr. Otepka charged that Mr. Reilly "did not act in good faith" in seeking his dismissal.

"On the contrary," Mr. Otepka said, "his action was prompted by personal bias, prejudice and malice and by a desire to punish me for telling the truth to the Senate subcommittee, and thereby embarrassing Mr. Reilly. The purpose of the charges was not to protect the interest of the Government, but rather to shield Mr. Reilly."

Denies Clipping Papers

The demand that his superiors take lie tests came in connection with charges that Mr. Otepka had clipped classification labels from certain documents on security-risk cases.

Mr. Otepka has denied he clipped the documents and also rejected the "insinuation" of the State Department that he had turned over the clipped documents to the chief counsel of the Senate subcommittee, J. G. Sourwine.

He respectfully suggest that to assist in the resolution of this matter of the clipped docu-

ments all of the individuals who had access to the documents should submit to a polygraph (lie detector) test, to be administered by a competent and impartial examiner," Mr. Otepka said.

"I shall be glad to submit to such a test."

Calls for 36

He asked that 36 State Department employes be made available to the hearing officers

who will take testimony on the Otepka appeal.

Mr. Otepka will continue on the department's payroll throughout the appeal procedures.

Mr. Reilly, Mr. Belisle and Mr. Hill were called to testify today before the Senate subcommittee to expand on their letters of last week acknowledging they were involved in the attaching of an eavesdropping device to Mr. Otepka's telephone.

Otepka Planning to Fight For Reinstatement to Job

Otto F. Otepka, the State Department's chief security risk evaluator who was dismissed yesterday, plans to exhaust every avenue of appeal, including one to the Supreme Court, necessary, to achieve reinstatement.

He is charged with having passed privileged information to the Senate Internal Security Subcommittee on security and loyalty cases in the State Department. He also is charged with having mutilated classified documents relating to security matters.

He denied all the charges October 14.

Mr. Otepka's lawyer, Roger Robb, indicated today he intends to begin appeal procedures in the State Department within the 10-day time limit set.

Can Choose Examiner

Mr. Otepka will be permitted to choose among a group of nominees the State Department hearing examiner who will listen to his defense.

The examiner's decision will go to higher echelons in the State Department and eventually Mr. Otepka can also appeal to the Civil Service Commission.

During the appeal procedure inside the executive branch, Mr. Otepka will continue to be paid,



OTTO F. OTEPKA

AP Photo

although he is suspended from his duties as chief security-risk evaluator.

President Kennedy has promised that both he and Secretary of State Rusk will review the Otepka case before he is finally removed from the payroll.

The State Department letter of dismissal yesterday rejected Mr. Otepka's categorical denial that he had cut classification markings from documents on security risk cases. The State

Department letter said all others having access to Mr. Otepka's trash bag had denied clipping the documents.

Statement on Otepka

Press Officer Robert McCloskey issued this statement on the Otepka case yesterday:

"The Department today conveyed to Otto F. Otepka, chief of the Division of Evaluations, Office of Security, its decision to remove him from his appointment, based on charges presented to him on September 23.

"In a letter signed by John Ordway, chief of the Personnel Operations Division, Office of Personnel, the Department, after careful consideration of Mr. Otepka's response of October 14, sustained the charges set forth in its letter of September 23.

"Mr. Otepka was advised that he has the right to appeal within 10 days to the Department's Assistant Secretary for Administration—Dwight J. Porter—and that a decision on his appeal will be made only after review of the matter by the Secretary.

"Further, Mr. Otepka may also appeal to the Civil Service Commission, either from an adverse decision on his appeal within the Department, or in lieu of an appeal within the Department, and the President has stated that he will review the matter before any final decision.

"Mr. Otepka may also seek ultimate review in the courts. He will not be removed from the Department's payroll pending disposition of any appeal he chooses to make within the Department."

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(OTEPKA)

WASHINGTON--THE STATE DEPARTMENT TODAY PLACED ON "ADMINISTRATIVE LEAVE" TWO OF THREE SECURITY OFFICERS CHARGED BY A SENATE SUBCOMMITTEE WITH HAVING TOLD "UNTRUTHS" IN THE OTTO OTEPKA CASE.

THE TWO PLACED ON LEAVE ARE JOHN F. REILLY, DEPUTY ASSISTANT SECRETARY OF STATE FOR SECURITY, AND ELMER DEWEY HILL, ONE OF HIS DIVISION CHIEFS.

THE ACTION CAME AS A MEMBER OF THE INTERNAL SECURITY SUBCOMMITTEE, SEN. ROMAN HRUSKA (R-NEB.), SAID THE STATE DEPARTMENT "AT A MINIMUM" SHOULD CONSIDER FIRING REILLY, HILL AND DAVID I. BELISLE FOR FIRST DENYING AND THEN ACKNOWLEDGING THAT OTEPKA'S TELEPHONE HAD BEEN TAPPED WITH.

STATE DEPARTMENT OFFICIALS SAID LEAVE FOR REILLY AND HILL, ARRANGED BY "MUTUAL CONSENT," WOULD BEGIN TUESDAY. MONDAY IS A GOVERNMENT HOLIDAY.

THEY WILL REMAIN ON LEAVE "WHILE WE ARE LOOKING INTO" THE AFFAIR, OFFICIALS SADDLED.

THEY SAID THAT WHATEVER THE OUTCOME OF THE REILLY-HILL AFFAIR, IT WOULD NOT AFFECT THE VALIDITY OF THEIR CHARGES ON WHICH THE DISMISSAL OF OTEPKA WAS BASED. OTEPKA IS APPEALING HIS OUSTER.

OFFICIALS PROVIDED NO INFORMATION ON THE STATUS OF BELISLE, REILLY'S SPECIAL ASSISTANT FOR PERSONNEL SECURITY, WHO ALSO IS CHARGED BY THE SUBCOMMITTEE WITH CHANGING HIS TESTIMONY.

BELISLE TOLD THE SUBCOMMITTEE HE FIRST DENIED ANY KNOWLEDGE OF THIS BECAUSE HE WAS OUT OF THE COUNTRY WHEN IT TOOK PLACE AND HE HAD NO "FIRST HAND" INFORMATION ON IT.

THE SUBCOMMITTEE YESTERDAY RELEASED STATEMENTS BY REILLY AND HILL THAT THEY HAD TRIED UNSUCCESSFULLY TO CONVERT OTEPKA'S OFFICE TELEPHONE INTO AN EAVESDROPPING DEVICE WHICH FAILED TO WORK.

THE SUBCOMMITTEE'S RELEASE DISCLOSED THAT HILL, IN TESTIMONY JULY 9, SAID HE HAD NO KNOWLEDGE OF ANYTHING CONCERNING TAPPING OTEPKA'S TELEPHONE. REILLY IN HIS TESTIMONY ALSO DENIED "BUGGING OR TAPPING OR OTHERWISE COMPROMISING TELEPHONES OR PRIVATE CONVERSATIONS" IN THE OFFICE OF OTEPKA OR ANY OTHER STATE DEPARTMENT EMPLOYEE.

BUT LAST WEDNESDAY, REILLY AND HILL FILED NEW STATEMENTS WITH THE SUBCOMMITTEE ACKNOWLEDGING THEIR UNSUCCESSFUL EFFORT TO CONVERT OTEPKA'S TELEPHONE INTO AN EAVESDROPPING DEVICE. THEIR NEW STATEMENTS, WHICH THEY SAID WERE FILED IN ORDER TO PREVENT "MISUNDERSTANDING" AND TO "AVOID A MISLEADING IMPRESSION," CAME ONE DAY AFTER SEN. THOMAS J. DODD, D-CONN., REPORTED THAT THE SUBCOMMITTEE HAD PROOF A STATE DEPARTMENT EMPLOYEE HAD LIED WHEN HE TESTIFIED THAT HE HAD NOT TRIED TO TAP OTEPKA'S PHONE.

HRUSKA SAID IT WAS "AN AFFRONT TO THE SUBCOMMITTEE AND THE SENATE" FOR REILLY AND HILL TO TRY TO RECONCILE CONTRADICTORY TESTIMONY BY ASSERTING THEIR LATER STATEMENTS WERE "CLARIFICATIONS" TO "AVOID MIS-UNDERSTANDING."

"THE INESCAPABLE CONCLUSION IS THAT THAT THEY WERE LESS THAN TRUTHFUL IN THEIR ORIGINAL TESTIMONY," HRUSKA SAID.

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WASHINGTON CAPITAL NEWS SERVICE

Discord at State

IT sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a Senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up, he clearly was in-subordinate and ought to stay fired.

Senators defending him, including such powerful figures as Dodd of Connecticut and Eastland of Mississippi, consider the case a test of the powers of Congress as opposed to the executive powers of the President. This recurring conflict provides the case with added drama.

Senator Dodd demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least

two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by Civil Service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with Civil Service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an unco-operative Government employee to hold on to his job.

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3 in State Dept. Change Stories On Trying to Bug Otepka Phone

By James E. Clayton
Staff Reporter

Sen. Roman L. Hruska (R-Neb.) said yesterday that the State Department should consider firing three men who, he claimed, misled a Senate committee during its investigation into the case of Otto F. Otepka.

The three conceded in letters released by the Senate Internal Security subcommittee yesterday that an eavesdropping device was placed briefly in Otepka's office last winter. Hruska said their testimony before the subcommittee last summer about that incident was "less than truthful."

The three are John F. Reilly, Deputy Assistant Secretary of State for Security; David I. Belisle, special assistant to Reilly; and Elmer Dewey Hill, chief of technical services in the State Department's security office.

Hruska's comments and the release of the letters, along with excerpts of earlier testimony by the three men, were the latest twists in the Otepka case.

Fired Earlier

Otepka was dismissed from his job as a security officer earlier this week. Among other things, he was charged with giving confidential information to the Senate subcommittee.

Last Tuesday, Sen. Thomas J. Dodd (D-Conn.) charged that one State Department official had lied under oath when he denied that Otepka's office telephone had been tapped. The next day, the three men sent their new statements to the subcommittee.

Hill said in his statement that he and another State Department employee, Clarence J. Schneider, altered the wiring on Otepka's telephone on March 18. The alterations were designed to turn the telephone into a microphone that would pick up conversations taking place in Otepka's office.

Device Failed

Hill said the effort was unsuccessful because of interference on the line and that conversations were never intercepted.

He said Reilly had asked him to explore the possibility

of eavesdropping on conversations but not on telephone calls. The effort was abandoned, he said, two days later when Reilly told him the evidence being sought against Otepka had been found in his burn basket.

In his testimony on July 9, according to the excerpts, Hill had the following exchange with J. G. Sourwine, committee counsel:

Q. Do you know of any instance where a listening device has been placed in an employee's office?

A. Not to my knowledge.

Q. Are these not normal security measures that in proper circumstances would be indicated and would be taken?

A. I have never engaged in this in that type of security measure.

New Statement

Reilly said in his new statement that he asked Hill to survey the feasibility of eavesdropping on Otepka's office. He insisted he never authorized the actual interception of any conversations. "Rather," he said, "I desired to know who was using the technique."

be without undue risk of detection. He said that subsequent examination of Mr. Otepka's burned bags continued to reveal nothing of significance.

In the excerpt of his testimony on August 6, Reilly is quoted as saying to Sourwine:

Q. Have any listening devices been installed in his (Otepka's) office?

A. No, sir.

Q. Have any devices or contrivances been installed in or connected with his telephone wires or with a box outside his office so as to activate his telephone so as to make it in a sense a permanent receiving microphone?

A. No, sir.

Belisle had testified on July 29 that he had never been involved in authorizing the placing of a listening device in a State Department office.

In his statement to the subcommittee this week, Belisle said he was in Costa Rica when the events described by the other two men occurred but that Reilly later told him of them. He said he answered Sourwine's questions as he did because he had no firsthand information.

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(OTEPKA)

WASHINGTON--SENATE GOP LEADER EVERETT M. DIRKSEN SAID TODAY TWO STATE DEPARTMENT SECURITY OFFICERS ACCUSED OF TELLING "UNTRUTHS" TO A SENATE SUBCOMMITTEE WILL HAVE A CHANCE TO TESTIFY UNDER OATH AGAIN THURSDAY.

THE ILLINOIS REPUBLICAN SAID THE SENATE INTERNAL SECURITY SUBCOMMITTEE OF WHICH HE IS A MEMBER WILL HEAR JOHN F. REILLY, DEPUTY ASSISTANT SECRETARY OF STATE FOR SECURITY, AND DAVID I. BELISLE, REILLY'S SPECIAL ASSISTANT FOR PERSONNEL SECURITY. SUBCOMMITTEE MEMBERS CHARGED BOTH WITH BEING "LESS THAN TRUTHFUL" IN AT FIRST DENYING AND LATER ACKNOWLEDGING THAT OTEPKA'S TELEPHONE HAD BEEN TAMPERED WITH.

THE STATE DEPARTMENT HAS PLACED REILLY AND ELMER D. HILL, A SECURITY DIVISION CHIEF, ON "ADMINISTRATIVE LEAVE" BECAUSE OF THE CONTRADICTIONS IN THEIR TESTIMONY ON THE "BUGGING" INCIDENT.

THE SUBCOMMITTEE STAFF UNDER CHIEF COUNSEL J. G. SOURWINE SAID THAT UNDER SUBCOMMITTEE RULES, IT COULD NOT CONFIRM THE THURSDAY HEARING. DIRKSEN SAID THE WHOLE OTEPKA CASE WAS DISCUSSED AT LENGTH AT TODAY'S SENATE POLICY MEETING OF ALL REPUBLICAN SENATORS.

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Today in National Affairs

The Dagger in the Cloak —And Mr. Otepka's Back

By David Lawrence

WASHINGTON.

Sen. Thomas J. Dodd, D., Conn., has achieved a reputation for independent thinking. When he says that the Department of State, in dismissing its Director of Security, used methods that are highly questionable, the country naturally becomes interested, especially since Mr. Dodd himself at one time served in the Federal Bureau of Investigation under J. Edgar Hoover.

The Connecticut Senator told the Senate Tuesday, Nov. 5, that a "serious challenge to responsible government" occurred when Otto Otepka was dismissed by the State Department simply because he had "testified honestly before the Senate Subcommittee on Internal Security on matters relating to security in the Department of State." He quoted the existing statutes which say that "the right of persons employed in the Civil Service of the United States, either individually or collectively, to petition Congress, or any member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

Sen. Dodd declared that, by its action in the Otepka case, the State Department "has in effect, nullified this statute" and has issued a warning "to all employees that co-operation with the established committees of the Senate, if this co-operation involves testimony considered unpalatable at higher echelon, is a crime punishable by dismissal."

Then came a sensational development. The Senate Internal Security subcommittee released on Nov. 9 letters filed by three State Department officials asking that the record of their testimony be amended and conceding that an eavesdropping device had been placed on the telephone wire in Mr. Otepka's office. Sen. R. L. Hruska, R., Neb., thereupon demanded that the State Department consider dismissing the three men who, he said, had misled the Senate. Immediately after Mr. Hruska's statement, two of the same three men—who have been the principal accusers of Mr. Otepka—were placed on "administrative leave" for the time being by the State Department.

Sen. Dodd, in his initial speech, pointed out that the significance of the Otepka case "cannot be overstated" and added:

"Mr. Otepka was the last old-line security officer holding a top position in the Office of Security. He has been an employee of the United States government for 27 years. He has served as Deputy Director of the Office of Security and Officer in charge of evaluations. His efficiency ratings have always been 'excellent.' In 1958 he received the meritorious service award from Secretary of State Dulles. But suddenly, for some strange reason, certain people in the department decided that Mr. Otepka had to go.

"And so, they began first, to restrict his functions. Then they installed a tap on his telephone. Although a State Department official has denied under oath that this was done, the Subcommittee on Internal Security has proof that the tap was installed. Then they began to monitor Mr. Otepka's burn basket. Then they locked him out of his office and denied him

access to his files, and no charge had yet been brought against him.

"No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humiliation. But Mr. Otepka was not suspected of disloyalty or espionage. He was suspected very simply of co-operating with the Senate Subcommittee on Internal Security and of providing it with information that some of his superiors found embarrassing or objectionable."

In many respects this is more important than the alleged scandals that are being investigated on Capitol Hill in domestic affairs, for the whole question of giving security clearance to individuals employed in the Department of State now has been raised in a sensational manner. Sen. Dodd concluded:

"If the dismissal of Mr. Otepka is permitted to stand, it will become impossible or exceedingly difficult to elicit any information from employees of the executive branch that bears on disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors."

The Department of State has not made public its detailed reasons for the dismissal of Mr. Otepka, nor has it given a satisfactory explanation to the Senate Internal Security subcommittee. But wherever the question of security arises, Congress is naturally on the alert. For there have been too many instances in which employees in the executive branch of the government have been given security clearance and later turned out to be indiscreet in passing out to friends and acquaintances information which eventually reached the Communist side.

In a vast organization of employees such as the Federal government maintains today, it is natural that there should be instances of questionable security. But the system which the Department of State has for years maintained is one that has created in Congress confidence in its procedures. The Otepka case has shaken that confidence. And the fact that the current fight for better security is being led by a Northern Democrat, who himself is an expert in security matters, is accepted by other Senators as an indication that the problem is being handled

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by the Senate in a wholly nonpartisan way.

The Administration has the responsibility of answering to the Senate and to the public just why the methods complained of by Sen. Dodd were used to remove a competent official from the delicate and difficult post of handling security matters in the Department of State.

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DAVID LAWRENCE

A Blot on Security Clearance

Otepka Case Considered a Challenge To Statutes on Petitioning Congress

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Department consider dismissing the three men who, he said, had misled the Senate. Immediately after Mr. Hruska's statement, two of the same three men—who have been the principal accusers of Mr. Otepka—were placed on "administrative leave" for the time being by the State Department.

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In a vast organization of employees such as the Federal Government maintains today, it is natural that there should be instances of questionable security. But the system which the Department of State has for years maintained is one that has created in Congress confidence in its procedures. The Otepka case has shaken that confidence. And the fact that the current fight for better security is being led by a Northern Democrat, who himself is an expert in security matters, is accepted by other Senators as an indication that the problem is being handled by the Senate in a wholly nonpartisan way.

The administration has the responsibility of answering to the Senate and to the public just why the methods complained of by Senator Dodd were used to remove a competent official from the delicate and difficult post of handling security matters in the Department of State.

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Executive Autonomy

For all of Senator Dodd's sputtering, he must know that what Otto F. Otepka did was not only unlawful but unconscionable as well. Mr. Otepka certainly knew this himself—which is no doubt why he did it covertly instead of candidly. He gave classified information to someone not authorized to receive it. And he prepared a list of questions to help a Senate subcommittee trip his superior in the State Department. No one can be surprised that the State Department does not want to keep him any longer in a position of trust.

It really does not matter that the recipient of the information he disclosed was an employee of the Senate. He had no authority to give it. If the Senate Internal Security Subcommittee felt a need for classified material in the State Department, its proper course was to summon the Secretary of State and ask him for it. If any underling in the State Department were free at his own discretion to disclose confidential cables or if any agent of the Federal Bureau of Investigation could leak the contents of secret files whenever he felt like it, the Executive branch of the Government would have no security at all.

Senator Eastland, chairman of the Subcommittee, has said that "the powers of Congress are at stake" and that he intends "to protect Mr. Otepka by every means at my command." All that the State Department has done is to fire an insubordinate employee. Its power to do so is fixed by the Constitution and was recognized as long ago as the very first Congress. The Congress has power, of course, to fix qualifications for employment in the Executive branch and to prescribe procedures for hearing and review in dismissals. It has done so in the civil service acts, and those procedures are being followed in Mr. Otepka's case. Indeed, he can, and may, go to court about the matter.

Without authority to fire subordinates in the Executive branch, the President would be powerless to fulfill his constitutional responsibility to "take care that the Laws be faithfully executed." Congress no more possesses the power to reinstate Mr. Otepka as an employee of the State Department than the President possesses power to remove Mr. J. G. Sourwine as counsel of the Senate Internal Security Subcommittee.

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Executive vs. Legislative Power

Showdown Is Nearing In Otepka Dismissal

A-1 By Murrey Marder
Staff Reporter

Both sides are reeling from heavy salvos fired in the bureaucratic war between the State Department and the Senate Internal Security Subcommittee over the Otto F. Otepka case.

No one can be sure how many casualties and powder burns there will be before the smoke clears away.

But what began as a skirmish over congressional testimony of State Department employees, is now a showdown between the Executive and Legislative branches of government.

President Kennedy is known to be personally concerned about the affair. It could have major and political consequences for his Administration.

The State Department confirmed yesterday that two officials have been placed on "administrative leave" after acknowledging that an eavesdropping "bug" was briefly placed last March in the office of security evaluator Otepka.

Otepka at the time was suspected of slipping information to the Subcommittee Counsel, J. G. Sourwine. Last Tuesday, Otepka was dismissed by the Department.

rights of speech after being under suspension since Sept. 23.

Leaves Ordered

By "mutual consent," State Department officials said yesterday, leave has been ordered for Deputy Assistant Secretary of State for Security John F. Reilly, and the chief of Reilly's Division of Technical Services, Elmer D. Hill.

Their leave will continue, the Department spokesman said, "while we are looking into" the affair.

Sen. Thomas J. Dodd (D-Conn.), vice chairman of the Senate Subcommittee, said yesterday, "This is a shocking matter." He said three officials of the State Department admitted, "in effect, that they lied under oath to a Senate committee." Dodd said "These are the fellows the State Department should prefer charges against, not Otepka."

Meeting on Tuesday

Dodd said a meeting of the Subcommittee's parent body, the Senate Judiciary Committee, is scheduled Tuesday, to consider the Otepka case and related matters.

The three officials he said should be charged were Reilly, Hill, and David I. Belisle, special assistant to Reilly. Belisle has stated he was in Costa Rica when a listening device was placed in Otepka's office. Last July, first Hill, then Belisle and Reilly, denied any knowledge of the installation of the device. Last Wednesday, all three statements to the Subcommittee, revising their testi-

monies, he helped install in the device at Reilly's request to test its effectiveness. But it proved inadequate and was removed after a test. Next day, said Reilly, the contents of a "bag of Mr. Otepka's trash" . . . revealed that Mr. Otepka had furnished certain material to Mr. Sourwine."

Dispute an Old One

Behind the whole affair is a running dispute between the Department and the Internal Security Subcommittee that has roots in the loyalty-security head-hunting days of the late Sen. Joseph R. McCarthy (R-Wis.).

Subcommittee charges that the State Department was "slow" on loyalty-security cases, publicly leaked into the Otepka affair last September Otepka, among other things, was charged with leaking to the Subcommittee information from loyalty files that can be released only with personal approval by the President, because of the damaging character of such information.

Otepka, in his defense, claimed a "higher loyalty," to tell the truth, overriding the "letter" of any regulations.

Several Senators on the Subcommittee publicly and privately warned the State Department against proceeding against Otepka.

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called Otepka "the last old-line officer holding a position in the Office of Security."

Last Tuesday, the State Department sustained all its original charges, dismissing Otepka from his \$16,900-a-year post. He has until next Friday to file an appeal.

Dismissal Deplored

That same day, Tuesday, Dodd took the Senate floor to deplore Otepka's dismissal. He served public notice that the Subcommittee had evidence of "wilful misstatements" or "untruths" under oath about placement of a listening device in Otepka's office. Next day, the Hill, Reilly, Belisle statements were submitted to the Subcommittee.

The difficulty now confronting Hill and Reilly in the Department is not the use of a listening device, but the contradictions in their testimony.

Reilly is a career Government employe, who previously served in the internal security division of the Justice Department. But Hill, who was first to testify in the affair, and whose testimony was backed up by Reilly, his superior, is a newcomer to Government. He came to the Department about a year ago as an electrical engineer at the Stanford Research Center in California.

Wiretap Issue Is Raised in Otepka Case

By EARL H. VOSS
Star Staff Writer

Wiretapping and three officials' allegedly false denials that it occurred have become a focal point in the row between the State Department and the Senate over the dismissal of Otto F. Otepka.

Mr. Otepka, chief security-risk evaluator of the State Department, was notified Tuesday of his dismissal for passing information on security risk cases to the Senate Internal Security Subcommittee. He plans to appeal the department decision.

Mr. Otepka denied all 13 charges against him earlier and counter-charged that his telephone has been tapped.

Senator Dodd, Democrat of Connecticut, has raised the possibility that other State Department officials had lied about the wiretapping in the Otepka case.

"Certain people" in the State Department, he said, had installed a tap on Mr. Otepka's telephone.

Cites Proof of Wiretaps

"Although a State Department official has denied under oath that this was done," Senator Dodd said in a Senate speech Tuesday, "the Subcommittee on Internal Security Affairs has proof that the tap was installed."

At another point Senator Dodd said: "We know the Department of State tapped Mr. Otepka's telephone, but an employee of the Department of State came to our subcommittee, and, under oath, said that the telephone had not been tapped—which was an untruth. That is the man who ought to be subject to charges. When employees of the Government come before a congressional committee and either make willful misstatements or tell untruths under oath, I believe that dismissal charges should be brought against them."

"But up to the present hour the man who has been dismissed is the man who told the truth, and so far as I know, the man who told the untruth has not been moved against."

Three officials reportedly denied existence of the wiretap in executive session testimony before the subcommittee. One of them was a superior of Mr. Otepka, another was the superior's assistant and the third was an electronics engineer.

U.S. Law on Intercepted Data

Section 605 of the Federal Communications Act provides that "no person not being authorized—"

shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person."

The Justice Department interprets this to mean that executive department agencies do not violate the laws so long as the information obtained in wire tapping is kept inside the Government.

American Civil Liberties Union lawyers are looking into Senator Dodd's wiretapping charges in the Otepka case. If they find wiretapping did occur, they may file a brief on Mr. Otepka's behalf asking that no evidence obtained by wiretapping be used in adjudication procedures.

The State Judiciary Committee is expected to meet soon to consider what action it can take on the Otepka case.

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Otepka on Payroll During Appeal

Associated Press
 Otto F. Otepka, the State Department security officer charged with giving classified documents to the Senate Internal Security Subcommittee, will remain on the State Department payroll until his appeal is processed, informed sources said yesterday.

The informants said Otepka's reply to the charges has been considered by the Department's Bureau of Personnel.

The charges against Otepka

were filed Sept. 23, and the 30-day notice of dismissal expired yesterday. The State Department, informants said, will tell Otepka the 30-day period has been extended indefinitely, pending final action on the appeal.

Meanwhile, informants said, Otepka may continue to work on a security handbook, a job to which he was assigned last summer. When the charges were first brought against him, he was taken off his job

as chief security risk evaluator in the Department.

Officials said Otepka is not likely to get the final appeal ruling for some time.

The reason is that the State Department's reply will be "cleared very high up," an informant said. President Kennedy, asked about the Otepka case at his news conference Oct. 9, said he would examine the issue himself, "when it comes time to take any disciplinary action, if such a time does come."

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Rusk Gives Pledge on Witnesses

Staff Reporter

An expected row between Secretary of State Dean Rusk and the Senate Internal Security Subcommittee over the Senators' right to obtain information from Rusk's aides failed to materialize yesterday.

Rusk and the subcommittee met face to face in closed session in the case of Otto F. Otepka, whom the State Department is firing as its chief evaluator of personnel security risks. The Department has accused Otepka of violating regulations by slipping copies of some secret documents to the subcommittee.

Sen. Thomas J. Dodd (D-Conn.), the subcommittee's acting chairman, told newsmen "there was no row" during the two-hour meeting with Rusk. Rusk made no comment.

One upshot of the conference, Dodd said, was agreement by the Secretary that members of his staff "will be permitted to appear and testify" before the subcommittee at mutually convenient times.

Dodd said the conference produced no indication, however, that Rusk would drop charges against Otepka. He said the Secretary pointed to a difference between testimony and unauthorized use of classified documents.

Sen. John Tower (R-Texas) has been quoted as predicting a "rather bitter struggle" between the State Department and Congress over the right of congressional groups to investigate the Department's security program.

Dodd, however, said this first conference with Rusk was friendly, and that Rusk will meet again with the subcommittee to discuss more details. Dodd announced no date for the next meeting but said, it probably will not be until after the dismissal of Otepka which is scheduled to take effect Wednesday. Otepka is appealing from the dismissal.

Dodd later released a statement declaring "I would consider it a great tragedy if the services of this exceptionally able and experienced security officer (Otepka) were lost to the United States Government on the basis of alleged technical violations growing out of his cooperation with the subcommittee."

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66 OCT 24 1963

Administration Relaxes Stand in Otepka Case

By EARL H. VOSS
Star Staff Writer

Secretary of State Rusk's Conciliatory attitude toward the Senate Internal Security Subcommittee has raised hopes on Capitol Hill for greater co-operation by the Executive Branch in the probe of State Department security procedures.

Otto F. Otepka, chief security-risk evaluator for the department, who was scheduled to be suspended today without pay, now is reported by officials to stand a good chance of continuing on the payroll throughout discharge procedures instituted against him one month ago.

The State Department -re action to Mr. Otepka's defense against 13 charges of misconduct is expected some time this week.

According to some reports the charges may be watered down, some may dropped or all

of them may be replaced by a simple charge of insubordination.

Ban Lifted

In Secretary Rusk's meeting with the subcommittee Monday, he agreed to provide other witnesses the subcommittee requested.

Other officials disclosed today that the ban on Security Office employees' contacts with the Internal Security Subcommittee

has been lifted. Employees of the Bureau of Security and Consular Affairs still are not permitted to contact the subcommittee without permission, the sources said. This prohibition will continue until an investigation of the bureau, ordered by Director Abba Schwartz, has been completed.

Mr. Rusk did not receive copies of testimony taken earlier by the subcommittee from State Department witnesses in closed session as he had requested.

Passport Chief Backed

All eight Senators of the subcommittee who attended Monday's meeting with the Secretary—four Democrats and four Republicans—also spoke in support of Miss Frances Knight, passport office chief. Mr. Rusk himself said he regarded her as extremely efficient.

The subcommittee, in a letter to Mr. Rusk last month, protested proposals to transfer her

out of the passport office. The letter said the transfer would be tantamount to a State Department reprisal for her critical testimony against new passport regulations she contends make it easier for American Communists to travel abroad.

At least one Senator's office gained the impression at the Monday meeting that Mr. Rusk was sufficiently impressed that he will drop whatever plans existed to move Miss Knight

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State Department, Congress to Clash Anew on Security

By Murray Marder
Staff Reporter

A bureaucratic guerrilla war that has roots a decade old deep in Washington's paper jungle, is due for a clouded airing on Capitol Hill this week.

The battleground is familiar enough: the historic contest between the Legislative and Executive branches over what Government witnesses can say, or slip, to Congress.

Current protagonists are the State Department and the Senate Internal Security Subcommittee. Each maintains it is not spilling for an open fight; but each acknowledges

that the momentum of events may produce one.

There is a little bit of everything in this struggle.

It includes echoes of what was called, in the McCarthy era, the "loyal American underground"; recurring charges that State is "soft" on communism; cloak-and-dagger tactics used at the State Department for counter-sleuthing against a security officer suspected of working for the other side (the Senate Subcommittee); disputes about passports for Communists, and lots of bad bureaucratic blood.

Secretary of State Dean Rusk is probably the Kennedy Administration Cabinet

officer least itching for a chance to shoot anything out with Congress.

But on Monday, Rusk is expected to go before the Internal Security Subcommittee, in closed session, to discuss its charge that the State Department deliberately has been withholding more than 20 witnesses, from testifying about security practices in State.

Many State Department officials privately contend that the underlying issue is whether the Secretary of State runs the State Department.

Otepka Accused

The most publicized topic in the struggle is the recent State Department charges against State security evaluator Otto F. Otepka. He is accused of covertly passing to the Subcommittee information on loyalty cases, and classified documents, from the State Department's records, as well as supplying the Subcommittee with questions to be aimed at his superiors.

But the dispute goes back to a 1952 event.

The Immigration Act of 1952 created in the State Department a Bureau of Security and Consular Affairs. The bureau, among other things, was intended by the late Rep. Francis E. Walter (D-Pa.) and the late Sen. Pat McCarran (D-Nev.) to tighten State Department security practices.

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The Bureau's first Administrative, Scott McLeod, former FBI agent and assistant to the late Sen. Styles Bridges (R-N.H.), set out to "clean up" the State Department. The Bureau virtually became an outpost of Congressional security head-hunters in the days when the late Sen. Joseph R. McCarthy (R-Wis.) was riding high.

McLeod Aide Promoted

McLeod maintained direct relations with like-minded members of Congress. His special assistant was Frances G. Knight, a bureaucratic veteran, who in 1955 became chief of the Department's Passport Office.

Miss Knight developed a highly efficient, streamlined, quick-service passport operation. She also ran a very independent operation that led to a sword's-point relationship with the Kennedy Administration's ideas on security, especially those of her official superior, Abba P. Schwartz, now head of the Bureau.

The State Department sought to regain total control of its own security supervisors, many of whom retained the special unofficial links that McLeod had with Senate security investigators. The struggle continued after the security office was split off from Schwartz's domain, with his full agreement.

Last year, the Internal Security Subcommittee, headed by Sen. James O. Eastland (D-Miss.) charged that there were "glaring security deficiencies" in the State Department. It claimed that "the accent in State is so heavily upon protecting the individual that security needs tend to be subordinated."

With Miss Knight as the chief witness against her own department, the Subcommittee assailed State's new passport procedure as a boon to Communists, because it gave accused persons the right to confront their accusers and allowed issuance of passports if the accusers were not produced. State contended that was the only proper interpretation of Supreme Court rulings. The battle continues.

The Subcommittee pressed its investigation early this year to check on State's com-

pliance with its critical security recommendations.

Miss Knight is reported to have testified in secret without prior knowledge of the State Department. (Earlier this month, a Subcommittee letter to Rusk, warning against removing her from her Passport Office post was leaked to the press.)

By August, the Subcommittee had asked for more than 20 witnesses. Rusk stepped in and privately tried to work out a compromise with Eastland and Subcommittee Vice Chairman Thomas J. Dodd (D-Conn.) Rusk wished to establish some ground rules so that State would be told what its employees were testifying. He did not succeed.

Last month, portions of the tug-of-war reached the headlines with the filing of charges against Otepka, a witness in the closed hearings the year before and earlier this year.

Charges Unusual

The charges, filed on Sept. 23, were quite unusual.

They showed that John F. Reilly, Deputy Assistant Secretary for Security, set up a system for secretly obtaining the contents of Otepka's office "burn bag" for the disposal of classified papers intended to be burned. By piecing together fragments, and by reconstructing messages on carbon paper and on typewriter ribbons, the counter-sleuths aimed a series of security accusations at Otepka.

He was charged, in brief, with supplying to Jay G. Sourwine, chief counsel of the Subcommittee, loyalty information, classified documents,

and questions to be used for interrogating another State employee.

Otepka was accused of violating a 1948 order by President Truman on handling loyalty security information, State Department regulations and standards, and a Federal statute barring the "mutilation" of documents.

Otepka, in reply last week, cited 27 years of Federal employment with many "excellent" efficiency ratings.

Denies Charges

He denied clipping or mutilating any documents. He said State apparently was invoking "guilt by association" because other persons in the same office could put their trash in his, or two other, "burn bags."

Otepka admitted giving Sourwine several documents in question, but he described them as "completely innocuous" reports, submitted "to assist the Committee in developing the truth."

He also countercharged the Department with what he termed his "reason to believe" that listening devices were used to eavesdrop on conversations in his office and that his telephone was tapped and his desk and safe searched.

But the brunt of Otepka's defense was this: the claim of a "higher loyalty" in Government service to the highest moral principles, "rising above, as he quoted a House Code of Ethics, 'loyalty to persons, party or Government department.'"

McCarthy Raised Issue

The last time that issue was raised with public prominence, it was raised by Sen. McCarthy in sweeping form.

In the Army-McCarthy hearings of 1954, the Senator called on all Federal employees to supply him with any information about "graft, corruption, communism, treason."

without regard to any "rubber stamp" placed on documents by Federal officials.

The Senate's Select Committee that recommended the censure of McCarthy, warned that this call could mean "disruption" of the processes of government. But the Committee chose to drop the issue as a censure charge, giving him the benefit of the doubt, on grounds that McCarthy's invitation could have been construed as calling for the supply of only unclassified information "of wrongdoing," without violation of law. This is the touchiest kind of subject for any committee of Congress, anxious to preserve the widest form of Congressional investigating power. It is an issue that never has been fully resolved. Apart from the question of Otepka's fate in the State Department proceedings aimed at his removal, it remains to be seen whether the Executive and Legislative branches will meet, or skirt it now.

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'The Otepka Case'

Your editorial on "The Otepka Case" leads me to believe that you, like most of the uninformed American public, just don't have all the facts. Please don't think I am saying this to criticize your very fine newspaper; my criticism is with the present White House policy of withholding news, slanting news and, in general, trying to control what used to be the "free press."

Has anyone really reported what happened at the time of the Castro takeover in Cuba or why the Bay of Pigs invasion was such a dismal failure or where the American forces were while the Communists built the Berlin Wall? Or doesn't the American public have a need to know?

Fortunately, in "The Otepka Case" there is a U. S. Government Printing Office report on the subcommittee hearing. It is titled, "Committee Print, State Dept. Security, Case of William Wieland, New Passport Regulations, the Office of Security, Number 87265, Eighty-Seventh Congress." Having read this report, I would advise you to get a copy if they are still available. Then perhaps you will see that the issue is not just what Mr. Otepka was doing, but what a fine job he and others like him have been doing for many years and what the State Department is now trying to do to him, the U. S. Senate and the American public.

Myra Finkel.

Gladland
C. Otepka
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Otto F. Otepka

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Otepka Says Charges Have No Foundation

By EARL H. VOSS
Staff Writer

Otto F. Otepka, chief security-risk evaluator in the State Department, has declared that charges against him of violating security regulations should be thrown out.

"without foundation and should be dismissed."

He also charged that his office was bugged with a secret listening device and that "my desk and my safe have been surreptitiously opened and searched."

In a 12-page letter, Mr. Otepka also charged that his immediate superior, John F. Reilly, Deputy Assistant Secretary of State for Security, had "seriously disparaged my performance of duty and impugned my integrity."

Differ on Appointed Data

Mr. Reilly, according to Mr. Otepka's letter, testified before the Internal Security Subcommittee that there was no substantial derogatory information respecting appointees to the Advisory Committee on International Organizations. Mr. Otepka earlier had testified he prepared memoranda for Mr. Reilly warning about security questions with respect to some of the appointees. He said he recommended strongly that the appointees should not be cleared without further investigation.

Mr. Otepka denied flatly eight State Department charges that he had clipped or mutilated classified documents.

"I did not clip the documents in question," Mr. Otepka wrote, "I was not responsible for the clipping, directly or indirectly. I do not know who did it, or why, or who placed the clippings in my burn bag—assuming that they were there. In short, I had absolutely nothing to do with clipping these papers and know nothing about it."

Mr. Otepka was notified September 23 of charges that he improperly passed information on security and loyalty risks to the Senate Internal Security Subcommittee.

He said yesterday that all 13 charges against him are

The department did not charge him with personally doing the clipping but with responsibility for the clipping.

Sees "Guilt by Association"

In its September 23 letter, the department recounted how secretaries and other associates in his office had collected the contents of his burn bag, for disposition of classified materi-

al, and carried them to other security officers.

Mr. Otepka accused the State Department yesterday of apparently relying on the theory of guilt by association with my burn bag. Other officers might have put their trash in his bag, he suggested, and State Department denial of permission for him to examine the burn bag's contents is "puzzling."

It was especially puzzling, he said, since the Department of State allowed John Stewart Service, involved in a security-risk case in the 1950s, to examine all documents and papers prepared by him or connected with his missions, which might be material to his defense.

Unfair, He Charges

The State Department has acknowledged, Mr. Otepka reported, that two charges that he breached "the standard of conduct expected of an officer of the Department of State" were not based on alleged violations of a specific department regulation.

"It thus appears," Mr. Otepka commented, "that my conduct is to be judged under some vague and amorphous standard, setting out no objec-

tive guidelines, but existing only in the minds of my superiors and subject to change according to their notions or whims of the moment. Such a standard, I submit, does not meet the fundamental requirements of fairness and due process, nor does a charge based upon such a standard fulfill those requirements."

Mr. Otepka raised the issue of executive privilege by quoting a statute encouraging civil service employees to furnish information to Congress. His accusers had cited an executive order forbidding transmission outside the Executive Branch of information on security and loyalty risks.

Violation Possible

"If the provisions of the (executive) directive are construed to prohibit disclosure by me of the memoranda here involved," Mr. Otepka wrote, "under the circumstances of this case, derelict in my duty, if by my then I submit the directive is in violation of the statute."

He acknowledged providing memoranda marked "confidential" to J. G. Sourwine, chief of counsel of the Senate Internal Security Subcommittee, but contended the information was

"innocuous" and did not pass damaging security or loyalty-risk information.

In addition, he quoted a Senate report indicating Secretary of State Rusk himself had showed documents on the security-risk case of William Wieland, an expert on Cuban affairs, to Democratic Senator Dodd of Connecticut, vice chairman of the Senate International Security Subcommittee.

Defends Conduct

Mr. Otepka concluded his letter with a strong defense of his conduct, which he said was based on "honesty and integrity." He quoted a 1958 concurrent resolution of the House of Representatives calling on all persons in Government service to put loyalty to the highest moral principles and to country above loyalty to persons, party or Government department.

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"I hold," he wrote, "that when one is called upon to speak he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence. I believe that every man has the right to defend himself against false accusations. . . . I believe now that I would have been derelict in my duty, if by my silence I had permitted untrue and inaccurate statements, of which I had personal knowledge, to remain unchallenged in the committee record, or if I had otherwise failed to give the committee my full co-operation in its search for the truth."

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54 OCT 21 1963

Otepka Says Truth Put Job in Peril

By Willard Edwards
Chicago Tribune Press Service

A veteran State Department security officer charged yesterday that he was facing dismissal because he told the truth when questioned by Senate investigators.

Otto F. Otepka, chief of the division of evaluations, Bureau of Security and Consular Affairs, filed a formal reply to charges accusing him of conduct unbecoming a State Department officer.

"I hold that when one is called upon to speak, he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence," he declared.

Otepka expects to be ousted Oct. 23. He then is expected to ask the Civil Service Commission for a hearing, which must be given him.

In his lengthy reply, Otepka reviewed the case that has made him the central figure in a clash between the State Department and the Senate Judiciary Committee over security rules in the Department. The Department claims Otepka acted improperly in providing the subcommittee with suggested questions to be put to other department officials.

President Kennedy said last week that Secretary of State Dean Rusk was ready to testify. The Committee, which has been seeking Rusk as a witness since July, had just received a letter from him asserting his unwillingness to testify until he was provided with all the evidence, including private papers and memoranda, gathered in an inquiry into security procedures in his Department.

Another letter was sent to Rusk, noting the President's statement and renewing the demand that he appear as a witness.

Otepka's defense statement noted that the Secretary in 1961 had taken action identical to that for which Otepka faces discharge.

Rusk permitted Sen. Thomas J. Dodd (D-Conn.), Vice Chairman of the Senate Internal Security Subcommittee, to examine "certain documents in confidence" in connection with the case involving William W. Wieland, a State Department officer.

If Rusk could disclose documents from Wieland's security file to the Internal Security Subcommittee, why was it improper for Otepka to disclose two comparatively "innocuous" memorandums to the same Subcommittee, Otepka asked.

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Otepka Case

The showdown which is shaping up between the State Department and the Senate Judiciary Committee, or rather its subcommittee on Internal Security, is both necessary and desirable. For the issues are of highest importance.

What is involved here is a seeming collision between the undoubted right of the State Department to maintain proper security procedures within the department and the equally undeniable right of the Senate (and the public) to know whether sloppy State Department procedures have been endangering national security.

The department has preferred charges which could lead to the dismissal of Otto F. Otepka, chief of State's security evaluations division. These charges were developed after such spy-thriller techniques as searching Mr. Otepka's "burn basket," reading the imprint on his carbon paper, deciphering used typewriter ribbons, patching together torn up notes, etc. Furthermore, a department official has issued an order forbidding employees to appear before the Senate subcommittee without obtaining advance clearance from State. It is also specified in the order that "this includes contact or interviews with any members of the staff of the subcommittee." This covers a lot of territory.

Naturally, the Senators, or at least those immediately involved, are up in arms. And they should be. For the order to the employees and the action against Mr. Otepka could serve to clamp down the lid on information from the State Department to which the Senate, if not the public, should have access. If this is what is being done, every possible pressure should be brought to bear to stop it.

We find it hard to believe, however, that Secretary Rusk would condone any such activity. It runs counter to his nature, and he is too sensible. Nevertheless, it is good that the Senate has called upon him to testify and that he has agreed to do so. The issue comes down to a question of just what Mr. Otepka was doing. The typewriter ribbons, the used carbon paper and the rest should tell the story.

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W. J. Brennan
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UPI-219

(SECURITY)

WASHINGTON--A STATE DEPARTMENT SECURITY OFFICER FACES DISMISSAL ON CHARGES THAT HE GAVE CLASSIFIED INFORMATION ON DEPARTMENT "LOYALTY" MATTERS TO SENATE INVESTIGATORS, IT WAS DISCLOSED TODAY BY HIS ATTORNEY.

A COPY OF A STATE DEPARTMENT LETTER LISTING 13 CHARGES AGAINST OTTO F. OTEPKA, HEAD OF THE EVALUATION DIVISION OF THE DEPARTMENT'S SECURITY OFFICE, WAS RELEASED BY LINTON M. COLLINS, A MEMBER OF THE LAW FIRM REPRESENTING OTEPKA.

THREE OF THE CHARGES ACCUSED OTEPKA OF CONDUCT "UNBECOMING AN OFFICER OF THE DEPARTMENT OF STATE" BY GIVING CLASSIFIED DOCUMENTS CONCERNING "THE LOYALTY OF EMPLOYEES OR PROSPECTIVE EMPLOYEES" OF THE DEPARTMENT TO J. G. SOURWINE, CHIEF COUNSEL OF THE SENATE INTERNAL SECURITY SUBCOMMITTEE.

THE LETTER SAID THIS VIOLATED A MARCH 13, 1948, DIRECTIVE BY FORMER PRESIDENT HARRY TRUMAN ORDERING FILES OF THE GOVERNMENT'S LOYALTY PROGRAMS TO BE KEPT CONFIDENTIAL--EVEN FROM CONGRESS--TO PROTECT INDIVIDUALS. THE TRUMAN ORDER IS STILL IN EFFECT, STATE DEPARTMENT OFFICIALS SAID.

EIGHT OF THE CHARGES ACCUSED OTEPKA OF "DECLASSIFYING" AND "MUTILATING" FOUR GOVERNMENT DOCUMENTS BY SNIPPING OFF THE CLASSIFIED LABELS WITHOUT FOLLOWING DECLASSIFICATION PROCEDURES.

THE LETTER SAID ONE OF THESE WAS A DOCUMENT MARKED "CONFIDENTIAL" DATED JANUARY 30, 1963, ADDRESSED TO PRESIDENTIAL ASSISTANT MCGEORGE BUNDY AND SIGNED BY WILLIAM H. BRUBECK, THEN STATE DEPARTMENT EXECUTIVE SECRETARY.

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WASHINGTON CAPITAL NEWS SERVICE

THE LETTER SAID THREE OTHER CLIPPED DOCUMENTS WERE AN INTERNAL STATE DEPARTMENT MEMO ENTITLED "SECURITY MEETING," A DOCUMENT DEALING WITH SECURITY "EVALUATIVE SERVICES" AND A THIRD INTERNAL MEMORANDUM CONCERNING "THE PROCEDURE FOR REVIEWING AND DISPOSING OF ADVERSE INFORMATION ON EMPLOYEES OF INTERNATIONAL ORGANIZATIONS DEALING WITH INTER-AMERICAN AFFAIRS."

THE LETTER CHARGED THAT CLASSIFIED LABELS FROM THE DOCUMENTS WERE RECOVERED BY SECURITY OFFICIALS FROM OTEPKA'S "BURN BAG," A PAPER BAG USED BY GOVERNMENT OFFICERS TO SEND WASTE PAPER WHICH MIGHT CONTAIN SECRETS TO THE INCINERATOR.

TWO OTHER CHARGES ACCUSED OTEPKA OF PREPARING LISTS OF QUESTIONS FOR SCURWINE TO USE IN INTERROGATING TWO DEPARTMENT EMPLOYEES.

ONE OF THEM WAS JOHN F. REILLY, STATE DEPARTMENT SECURITY CHIEF, WHO IS OTEPKA'S BOSS.

"THIS IS A BREACH OF THE STANDARD CONDUCT EXPECTED OF AN OFFICER OF THE DEPARTMENT OF STATE," THE LETTER SAID.

IN RELEASING THE LETTER OF CHARGES, COLLINS SAID HE HAD NO COMMENT TO MAKE AT THIS TIME ON THE CASE. OTEPKA HAS UNTIL OCT. 13 TO FORMALLY ANSWER THE CHARGES.

THE STATE DEPARTMENT SAID LAST WEEK IT HAD FILED A LETTER OF CHARGES AGAINST OTEPKA BUT THAT ITS POLICY WAS NOT TO MAKE PUBLIC CHARGES AGAINST EMPLOYEES.

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W. H. Rusk

UPI-79

(SECURITY)

WASHINGTON--REP. H. R. GROSS, R-IOWA, SAID TODAY THE STATE DEPARTMENT WAS GUILTY OF AN "OUTRAGE" IN PRESSING CHARGES AGAINST AN OFFICIAL FOR ALLEGEDLY PASSING CONFIDENTIAL DOCUMENTS TO THE SENATE INTERNAL SECURITY SUBCOMMITTEE WITHOUT DEPARTMENT AUTHORIZATION.

GROSS, A MEMBER OF THE HOUSE FOREIGN AFFAIRS COMMITTEE, TOLD THE HOUSE IN A SPEECH THAT THE DEPARTMENT APPARENTLY WAS TRYING TO FIRE OTTO F. OTEPKA, CHIEF OF THE SECURITY INFORMATION EVALUATIONS DIVISION.

GROSS SAID IT WAS ANOTHER INSTANCE OF THE EXECUTIVE BRANCH DENYING CONGRESS INFORMATION TO WHICH IT WAS ENTITLED.

HE SAID HE HAD DEMANDED IN A LETTER THAT SECRETARY RUSK EXPLAIN THE ACTION AGAINST OTEPKA AND GIVE HIM "THE NAMES OF ALL THE PRINCIPALS INVOLVED."

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WASHINGTON CAPITAL NEWS SERVICE

State Dept. Security Aide Accused

Associated Press

The State Department yesterday said that a letter containing charges of a nature that could lead to discharge in 30 days, has been given to Otto F. Otepka, chief of the Division of Evaluations in the Department's Office of Security.

The department said the 43-year-old security investigator was given 10 days, expiring Oct. 3, to answer the charges.

Press officer Richard J. Phillips refused to be more specific, saying it was standard practice not to reveal such administrative charges. But in Dallas, Robert Morris, former chief counsel of the Senate Internal Security subcommittee, said he had heard that the essence of the charges is that Otepka "collaborated" with the present chief counsel of the subcommittee, J. G. Sourwine.

Morris said the charges "include giving 'confidential' and 'for official use only' information to the chief counsel. Both of these classifications are relatively low and in fact were inserted on the information by Otepka himself."

"Otepka's burn-basket was ransacked, his desk searched, and he himself subjected to extensive investigation. Thus

today's offense seems to be collaboration not with Communists but with dutiful security officers..."

Morris now is president of the Defenders of American Liberty, a Dallas-based organization.

Sen. James O. Eastland (D-Miss.), the subcommittee chairman, said he knew nothing about the matter, but that the subcommittee was interested and would look into it.

Sourwine said, "If the charge is as Morris stated, then the charge won't hold water," and that he failed to

see how any breach of security was involved.

Otepka has served as chief of the Security Evaluations Office for personnel for 10 years. The job pays \$15,000 a year.

Earlier this year, Otepka and other State Department security officers appeared before the Internal Security Subcommittee in connection with the case of career diplomat William A. Wieland, a State Department desk officer on Cuban affairs at the time of Fidel Castro's rise to power.

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The Washington Post and Times Herald A-21
The Washington Daily News _____
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New York Herald Tribune _____
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The New York Times _____
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The Wall Street Journal _____
The National Observer _____
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Storm Brews on Charges Facing State Security Aide

By the Associated Press

A storm seems to be brewing over administrative charges filed against Otto F. Otepka, chief of the Division of Evaluation in the State Department's Office of Security.

A department spokesman said the 48-year-old Otepka had until October 3 to reply to charges which could lead to his discharge. He refused to say what the charges are.

Robert Morris, former chief counsel of the Senate Internal Security Subcommittee, said in Dallas last night that he had heard that the essence of the charges is that Mr. Otepka "collaborated" with the present chief counsel of the Internal Security Subcommittee, J. G. Sourwine.

Mr. Sourwine said that if that is the basis "then the charge won't hold water."

Mr. Morris said he had heard that Mr. Otepka has been accused of disclosing secret information to the Senate.

Mr. Morris said the charges brought against Mr. Otepka "include giving 'Confidential' and 'For Official Use Only' information to the chief counsel. Both of these classifications are relatively low and in fact were inserted on the information by Mr. Otepka himself."

Early in the year, Mr. Otepka and other State Department security officers testified before the subcommittee during an investigation of William A. Wieland, career diplomat and desk officer on Cuban affairs during Fidel Castro's rise to power.

Mr. Morris called the charges "a travesty of justice."

"If Mr. Otepka collaborated

with Sourwine, he collaborated with the United States Senate itself," he said. "This should not be considered a crime."

Mr. Morris said that "Mr. Otepka's burn-basket was ransacked, his desk searched, and he himself subjected to extensive investigation. Thus today's offense seems to be collaboration not with Communists but with dutiful security officers who are trying to keep their appointed rounds in traditional fashion."

Mr. Morris now is president of the Defenders of American Liberty, a Dallas-based organization.

He said the charges against Mr. Otepka "reflect the direction in which our Nation is moving today in the face of growing Soviet power. . . . For being reasonably co-operative with this sacred arm of Congress, he (Mr. Otepka) is now up on charges that could lead to his dismissal from service."

Senator Eastland, Democrat of Mississippi, chairman of the subcommittee, said the group would look into the situation.

Senator Keating, Republican of New York, a subcommittee member, said he didn't know what the charges were but would like to find out.

"If he's charged with misuse of documents affecting the security of our country, that's one thing," Senator Keating said. "But if it involves documents that reflect on other officials of the department, that's another thing."

"If it is the latter, the committee would certainly want to look into it further. But I don't know."

Given Two Special Jobs

Mr. Phillips said Mr. Otepka remains chief of the division of evaluation in the Office of Security, but since June 27 has been detailed to two special projects. These are updating of the Office of Security Handbook and preparation of guidelines for the security evaluation of personnel.

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State Department officials said that there is no question of a conflict existing between the State Department and congressional committees in testimony given in response to committee questions.

There were indications, however, that the Department considered the volunteering of unauthorized information to congressional investigators to be a breach of the right of executive privilege that amounts to insubordination.

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The Washington Post and Times Herald ☒
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The National Observer ☒
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Under executive privilege, a Federal agency can withhold certain information from Congress if it feels that the disclosure of such information would hamper the executive from carrying out his duties.

Called Personal Action

In refusing to make public the charges against Mr. Otepka, the State Department said this is considered a personal action between an employer and an employee.

The employee has a right not to be tried in public by press release unless he chooses to make public the charges against him himself, the department said.

It was emphasized that no

one in the State Department had disclosed the charges against Mr. Otepka.

Mr. Otepka can appeal any decision for his ouster to the State Department's deputy director of personnel, Harvey R. Wellman. As a veteran, he can also appeal directly to the Civil Service Commission.

Mr. Otepka is a graduate of Catholic University. He was a former investigator for the Bureau of Internal Revenue, a technical consultant for the Civil Service Commission and went to work for the State De-

partment on June 15, 1943.

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UPI-23

(SECURITY)

WASHINGTON--THE STATE DEPARTMENT IS ATTEMPTING TO FIRE ONE OF ITS SECURITY OFFICERS, REPORTEDLY FOR GIVING CONFIDENTIAL INFORMATION TO A SENATE COMMITTEE WITHOUT AUTHORIZATION FROM HIS SUPERIORS.

STATE DEPARTMENT SPOKESMEN SAID A "LETTER OF CHARGES" WAS GIVEN MONDAY TO OTTO F. OTEPKA, 42, CHIEF OF THE EVALUATIONS DIVISION OF THE DEPARTMENT'S SECURITY OFFICE. THE DIVISION DEALS WITH PERSONNEL SECURITY.

ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE, SAID IN DALLAS YESTERDAY THAT OTEPKA WAS ACCUSED OF GIVING DOCUMENTS MARKED "CONFIDENTIAL" AND "FOR OFFICIAL USE ONLY" TO J. G. SOURWINE, THE SUBCOMMITTEE'S PRESENT CHIEF COUNSEL.

REPLYING TO MORRIS' STATEMENT, STATE DEPARTMENT SPOKESMEN SAID OTEPKA HAD BEEN GIVEN 10 DAYS TO ANSWER THE CHARGES OR FACE DISMISSAL. THEY WOULD NOT SAY WHETHER THE CHARGES HAD ANYTHING TO DO WITH THE SUBCOMMITTEE.

"THE DEPARTMENT DOES NOT MAKE PUBLIC CHARGES AGAINST EMPLOYEES," SAID PRESS OFFICER RICHARD I. PHILLIPS.

THE SUBCOMMITTEE HAS BEEN INVESTIGATING VARIOUS SECTIONS OF THE STATE DEPARTMENT, INCLUDING ITS SECURITY, PASSPORT AND VISA OPERATIONS. OTEPKA HAS APPEARED AS A WITNESS NUMEROUS TIMES IN RESPONSE TO COMMITTEE REQUESTS AND WITH APPROVAL OF THE STATE DEPARTMENT.

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UPI-133

(INTERNAL SECURITY)

DALLAS--ROBERT MORRIS, FORMER CHIEF COUNSEL FOR THE SENATE INTERNAL SECURITY SUBCOMMITTEE SAID TODAY A STATE DEPARTMENT SECURITY OFFICER MAY LOSE HIS JOB BECAUSE HE "COLLABORATED" WITH THE SUBCOMMITTEE AND GAVE IT INFORMATION.

ROBERT MORRIS SAID OTTO OTEPKA, CHIEF OF THE EVALUATION DIVISION OF THE DEPARTMENT'S SECURITY OFFICE, HAD BEEN GIVEN 10 DAYS TO ANSWER CHARGES HE GAVE CLASSIFIED INFORMATION TO THE INTERNAL SECURITY SUBCOMMITTEE.

MORRIS WAS CHIEF COUNSEL TO THE SAME SUBCOMMITTEE FROM 1951 TO 1953, AND AGAIN FROM 1956 TO 1958.

"MR. OTEPKA'S OFFENSE SEEMS TO BE COLLABORATING--NOT WITH COMMUNISTS, WHOM OUR DIPLOMATS ARE EMBRACING--BUT WITH DUTIFUL SECURITY OFFICERS WHO ARE TRYING TO KEEP THEIR APPOINTED ROUNDS IN THE TRADITIONAL FASHION," MORRIS SAID.

THE CHARGES BROUGHT AGAINST OTEPKA, MORRIS SAID, INCLUDE ACCUSATIONS HE GAVE MATERIAL MARKED "CONFIDENTIAL" AND "FOR OFFICIAL USE ONLY" TO J.G. SOURWINE, SUBCOMMITTEE CHIEF COUNSEL. "THE CLASSIFICATIONS IN BOTH THE INSTANCES CHARGED WERE APPLIED BY MR. OTEPKA HIMSELF," MORRIS SAID.

"BOTH THESE CLASSIFICATIONS ARE RELATIVELY LOW. WHEN I WAS CHIEF COUNSEL TO THE SAME SUBCOMMITTEE, I HAD TOP SECRET CLEARANCE."

MORRIS SAID OTEPKA'S DESK AND BURN-BASKET, WHERE CLASSIFIED MATERIAL IS THROWN TO BE BURNED, WERE RANSACKED, AND OTEPKA WAS "SUBJECTED TO AN EXTENSIVE PERSONAL INVESTIGATION."

MORRIS CALLED THE CHARGES A "TRAVESTY OF JUSTICE", AND SAID THE SENATE "SHOULD STAND UP FOR ITS RIGHTS. IN COOPERATING WITH THE MR. SOURWINE AS CHARGED, MR. OTEPKA WAS STANDING UP FOR THE SENATE ITSELF."

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